

THE  
STATUTES AT LARGE  
OF THE  
UNITED STATES OF AMERICA  
FROM  
MARCH 1933 to JUNE 1934  
CONCURRENT RESOLUTIONS  
RECENT TREATIES AND CONVENTIONS, EXECUTIVE PROCLAMATIONS  
AND AGREEMENTS, TWENTY-FIRST AMENDMENT  
TO THE CONSTITUTION

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VOL. XLVIII  
IN TWO PARTS

PART 1—Public Acts and Resolutions.  
PART 2—Private Acts and Resolutions, Concurrent Resolutions  
Treaties and Conventions, Executive Proclamations  
and Agreements, Twenty-first Amendment to the  
Constitution.

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PART 2

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The original of every act printed in this volume from page 1295 to page 1300, inclusive, has the following heading:

**SEVENTY-THIRD CONGRESS OF THE UNITED STATES OF AMERICA ;**

**AT THE FIRST SESSION,**

**BEGUN AND HELD AT THE CITY OF WASHINGTON ON THURSDAY, THE NINTH DAY OF MARCH,  
ONE THOUSAND NINE HUNDRED AND THIRTY-THREE**

The original of every act and joint resolution printed in this volume from page 1301 to page 1468, inclusive, has the following heading:

**SEVENTY-THIRD CONGRESS OF THE UNITED STATES OF AMERICA ;**

**AT THE SECOND SESSION,**

**BEGUN AND HELD AT THE CITY OF WASHINGTON ON WEDNESDAY, THE THIRD DAY OF JANUARY,  
ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR**

All bills and joint resolutions presented to the President of the United States bear the signatures of the Speaker (or of the Speaker *pro tempore*) of the House of Representatives and of the Vice President and President of the Senate (or of the President of the Senate *pro tempore*) ; those signatures accordingly appear on the originals of all acts and joint resolutions.

The signature of the President of the United States appears on the originals of all approved acts and joint resolutions.

The original of every act and joint resolution has endorsed thereon a certificate of origin, signed, as the case may be, by the Clerk of the House of Representatives or by the Secretary of the Senate and reading "I certify that this Act (or Joint Resolution) originated in the House of Representatives (or Senate)." The origin of each act and resolution contained in this volume is indicated in the margin at the beginning of each enactment; thus, for example, H.R. 890 or H.J. Res. 61 indicates origin in the House of Representatives; and S. 151 or S.J. Res. 117 indicates origin in the Senate.

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**PRIVATE LAWS**  
**OF THE**  
**UNITED STATES OF AMERICA**  
**PASSED BY THE**  
**SEVENTY-THIRD CONGRESS**  
**1933-1934**



# PRIVATE LAWS OF THE SEVENTY-THIRD CONGRESS

OF THE  
UNITED STATES OF AMERICA

*Passed at the first session, which was begun and held at the city of Washington, in the District of Columbia, on Thursday, the ninth day of March, 1933, and was adjourned without day on Friday, the sixteenth day of June, 1933.*

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore*; HENRY T. RAINES, Speaker of the House of Representatives.

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[CHAPTER 6.]

AN ACT

Confirming the claim of Francis R. Sanchez, and for other purposes.

March 23, 1933.

[S. 154.]

[Private, No. 1.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Francis R. Sanchez for lands described as sections 33 and 34, township 6 south, range 18 east, and as section 5, township 7 south, range 18 east, Tallahassee meridian, Florida, embracing four thousand acres as shown on plats of survey approved May 27, 1841, contained in report numbered 2 as claim numbered 25, of the commissioners of the district of east Florida (American State Papers, Duff Green edition, vol. 3, p. 643), communicated to Congress by the Treasury Department, May 20, 1824, be, and the same is hereby, approved and confirmed to the equitable owners of the equitable title thereto and to their respective heirs and assigns forever: Provided, That this Act shall amount only to a relinquishment of any title that the United States has, or is supposed to have, in and to any of said lands, and shall not be construed to abridge, impair, injure, prejudice, divert, or affect in any manner whatsoever any valid right, title, or interest of any person or body corporate whatever heretofore acquired based on a patent issued by the United States.*

Approved, March 23, 1933.

Francis R. Sanchez.  
Claim of, for certain  
lands in Florida con-  
firmed to equitable  
owners of title thereto,  
etc.

Provided.  
Only United States  
title relinquished.

---

[CHAPTER 7.]

AN ACT

Providing for an exchange of lands between the Colonial Realty Company and the United States, and for other purposes.

March 23, 1933.

[S. 155.]

[Private, No. 2.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon execution and delivery by the Colonial Realty Company of a deed conveying to the United States, title in fee, free of incumbrance, to approximately one thousand four hundred and twenty acres of seeped and unproductive lands, as determined by the Secretary of the Interior, in sections 20, 21, 22, 25, 27, 28, 31, 32, 33, and 34, township 39 south, and section 3 of township 40 south, range 9 east, Willamette meridian, Oregon, Klamath project, or to such portion*

Colonial Realty  
Company.  
Exchange of lands  
with.  
Post, p. 1300.

*thereof as said company may elect so to convey, the said Secretary is hereby authorized and directed to issue a patent to the Colonial Realty Company, conveying to said company title to approximately an equivalent amount of public lands on the Tule Lake division of the Klamath project in Oregon-California to be selected and designated by said company from available lands in that division: Provided, That in order to avoid the expense of additional surveys, and since many of the tracts to be conveyed to the United States are designated as lots by public land surveys and for this reason the subdivisions contain areas both less than and in excess of legal subdivision, the areas conveyed to the Government and the areas patented by the Government need be only approximately of the same acreage: Provided further, That should any legal subdivision of the lands herein described consist of more than 50 per centum of unproductive land the whole subdivision may, at the option of said company, be conveyed to the United States, with the right of exchange of an equivalent area as herein authorized.*

*Proviso.  
Areas conveyed to,  
and patented by Gov-  
ernment.*

*Unproductive lands.*

*Water-right charges.*

SEC. 2. The water-right charges payable by said company or its successor on the Tule Lake lands patented pursuant to this Act shall be the same as those fixed for similar lands in that district and shall be subject to payment in the same manner.

Approved, March 23, 1933.

#### [CHAPTER 9.]

##### AN ACT

For the relief of the Holy Family Hospital, Saint Ignatius, Montana.

*March 24, 1933.  
(S. 151.)  
(Private, No. 3.)*

*Holy Family Hos-  
pital, Saint Ignatius,  
Mont.*

*Compensation for  
professional care.*

*Proviso.  
Limitation on at-  
torney's fees.*

*Penalty for violation.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the Holy Family Hospital, Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of \$8,825.66, in full satisfaction of all claims against the United States for compensation for the care by such hospital of persons admitted thereto under authority of the Flathead Indian Agency, State of Montana, prior to and including November 30, 1931: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, March 24, 1933.

#### [CHAPTER 10.]

##### AN ACT

*March 24, 1933.  
(S. 152.)  
(Private, No. 4.)*

To authorize the Secretary of War to grant a right of way to the Alameda Belt Line across the Benton Field Military Reservation, Alameda, California.

*Benton Field Mil-  
itary Reservation, Calif.  
Right of way granted  
across, to Alameda Belt  
Line.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered to grant to the Alameda Belt Line, a corporation organized and existing under*

the laws of the State of California, its successors and assigns, a permanent right of way, in such location and under such terms and conditions as may be approved by the Secretary of War, over and across the Benton Field Military Reservation, Alameda, California, for railroad purposes, with full power to locate, construct, and operate railroad tracks, together with necessary spurs and sidings and other railroad appurtenances, appendages, and adjuncts: *Provided*, That the land shall not be used for other than railroad purposes, and when the property shall cease to be so used it shall revert to the United States: *Provided further*, That the right to compel the removal of said railroad tracks and appurtenances is hereby reserved in the Secretary of War, whenever he may determine the interests of the Government require, and which said removal is to be without expense to the Government, as a condition of this grant.

Approved, March 24, 1933.

*Proviso.*  
For railroad pur-  
poses only.

Removal of tracks.

No Federal expense.

[CHAPTER 11.]

AN ACT

To convey certain land in the county of Los Angeles, State of California.

Whereas on or about the 22d day of August, 1921, the county of Los Angeles, State of California, conveyed to the United States of America the hereinafter-described tract of land for the use of the War or Navy Departments; and

Whereas the county of Los Angeles, in the State of California, purchased said property for the purpose of making said conveyance at a total sum of \$148,655, of which amount the United States of America contributed \$55,655 and the county of Los Angeles contributed the sum of \$93,000; and

Whereas the United States of America has ceased to use said property, or any part thereof, for military, or naval, or other purposes, and the same is now and for some time has been idle: Therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized and directed to convey to the county of Los Angeles the hereinafter-described land, exclusive of such structures thereon which may be designated by the Secretary of War for retention by the War Department with a view to their eventual removal from the premises, to be used for public park, playground, and recreation purposes only, on condition that should the land not be used for that purpose it shall revert to the United States: *Provided, however*, That the county of Los Angeles, State of California, pay to the United States of America the sum of \$55,655, the amount originally paid by the Government on the purchase price of said property, which property is particularly described as follows:

All those certain lots, pieces, or parcels of land, together with all buildings thereon, situate, lying, and being in the city of Arcadia, county of Los Angeles, and State of California, and particularly described as follows, to wit: Lot 4 of tract numbered 949 as delineated upon the map of said tract recorded in book 17 of maps, at page 13, records of Los Angeles County, and lots 3, 4, 5, and 6 of tract numbered 2409 as delineated upon the map of said tract, recorded in book 23 of maps, at page 23, records of Los Angeles County. The land intended to be conveyed by this deed is bounded on the north by Falling Leaf Avenue, on the east of Santa Anita Avenue, on the south by Huntington Drive and by land now owned

March 24, 1933.  
[S. 153.]  
[Private, No. 5.]

Los Angeles County,  
Calif.  
Preamble.

Certain land con-  
veyed to, for recreation  
purposes.

*Proviso.*  
Payment.

Description.

by Clara Baldwin Stocker, and on the west by the rights of way of Pacific Electric Railroad Company and Southern Pacific Railroad Company, and being all of the land claimed or owned by the grantor within the exterior bounds of Arcadia balloon field.

*Sum received covered  
in.*

SEC. 2. That the amount received from the county of Los Angeles, State of California, for the land above described shall be deposited in the Treasury of the United States as miscellaneous receipts.

Approved, March 24, 1933.

[CHAPTER 12.]

March 28, 1933.

[S. 148.]

[Private, No. 6.]

*Agnes M. Angle.  
Claim of, to be determined under Employees' Compensation Act.*

Vol. 39, pp. 746, 747.

*Proviso.  
No prior benefits.*

AN ACT

For the relief of Agnes M. Angle.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Agnes M. Angle on account of disability due to tuberculosis if contracted at Wichita, Kansas, while employed in the service of the United States as a stenographer in the office of the United States Veterans' Bureau in 1921: Provided, That no benefit shall accrue prior to the enactment of this Act.*

Approved, March 28, 1933.

[CHAPTER 13.]

March 28, 1933.

[S. 149.]

[Private, No. 7.]

*Daisy Anderson.  
Claims of, to be determined, under Employees' Compensation Act.*

Vol. 39, pp. 746, 747.

*Proviso.  
No prior benefits.*

AN ACT

For the relief of Daisy Anderson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Daisy Anderson on account of disability due to tuberculosis if contracted while employed in the service of the United States as a nurse in the United States Marine hospitals: Provided, That no benefit shall accrue prior to the enactment of this Act.*

Approved, March 28, 1933.

[CHAPTER 14.]

March 28, 1933.

[S. 150.]

[Private, No. 8.]

*W. H. Hendrickson.  
Payment to, for motor truck.*

AN ACT

For the relief of W. H. Hendrickson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. H. Hendrickson, of Salt Lake City, Utah, the sum of \$175 in full satisfaction of his claim against the United States arising out of the sale of a Ford truck to him by the prohibition administrator on June 7, 1930, at Salt Lake City, Utah.*

Approved, March 28, 1933.

## [CHAPTER 15.]

AN ACT  
For the relief of A. Y. Martin.March 28, 1933.  
[S. 155.]  
[Private, No. 9.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to settle and certify for payment to A. Y. Martin, out of any money in the Treasury not otherwise appropriated, the sum of \$980, as in full for services rendered as a de facto United States commissioner at Paducah, Kentucky, from December 8, 1930, to August 5, 1931.*

A. Y. Martin.  
Payment to, as  
United States Com-  
missioner.

Approved, March 28, 1933.

## [CHAPTER 54.]

## AN ACT

To authorize the acceptance of certain lands in the city of San Diego, California, by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego.

June 9, 1933.  
[H. R. 1767.]  
[Private, No. 10.]Public lands.  
Exchange with San  
Diego, Calif., author-  
ized.Lands transferred by  
city.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized on behalf of the United States to accept from the city of San Diego, California, when said city has been duly authorized to make such transfer by the State of California, free from all encumbrances and without cost to the United States, all right, title, and interest in and to the lands contained within the following-described area: Beginning at the intersection of the prolongation of the northwesterly line of Bean Street with the United States bulkhead line as established in February, 1912; thence southwesterly along the prolongation of the northwesterly line of Bean Street to the pierhead line as the same has been or may hereafter be established by the United States; thence northwesterly and southwesterly along the said pierhead line to its intersection with the prolongation of the northeasterly line of Lowell Street; thence northwesterly along the prolongation of the northeasterly line of Lowell Street to the United States bulkhead line as established in February, 1912; thence northeasterly, easterly, and southeasterly along the United States bulkhead line as established in February, 1912, to the point of beginning containing approximately 242 acres; and also, all of block 16, municipal tide lands subdivision, tract numbered 1; said lands being desired by the Navy Department for national defense and for use in connection with existing naval activities at San Diego, California.*

Lands transferred by  
United States.

The said Secretary of the Navy is also authorized hereby to transfer to the city of San Diego, California, free from all encumbrances and without cost to said city of San Diego, all right, title, and interest of the United States in and to the lands contained within that part of the Marine Corps base, San Diego, California, described as follows: Beginning at a point on the United States bulkhead line as established in February, 1912, distant three hundred feet northwesterly from station numbered 104 on said bulkhead line; thence north seven degrees east a distance of two thousand one hundred and sixty feet; thence north sixty degrees thirty-four minutes fifty-nine seconds west to an intersection with the prolongation of the northwesterly line of Bean Street; thence southwesterly along the prolongation of the northwesterly line of Bean Street to an intersection with the United States bulkhead line, as established in

February, 1912; thence south eighty-three degrees east along said bulkhead line to the point of beginning, containing approximately 67 acres.

Approved, June 9, 1933.

---

[CHAPTER 74.]

AN ACT

June 14, 1933.

[S. 1514.]

[Private, No. 11.]

Harrison County,  
Miss.  
Conveyance of cer-  
tain lands to.

Description.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to convey by quitclaim deed to Harrison County, State of Mississippi, all right, title, and interest of the United States in and to the following-described lands along the north line of the United States Veterans' Administration property at Gulfport, Mississippi: Beginning at the northwest corner of said property at the intersection of the western boundary of section 36, township 7 south, range 11 west, Saint Stephens meridian, and the southern boundary of the Old Pass Christian Road; thence northeasterly along the existing northern boundary of said property a distance of nine hundred and ninety feet, more or less, to the northeast corner of said property; thence southerly on a line parallel to the aforesaid western line of said section 36 a distance of fifteen and eight-tenths feet, more or less, to a point; thence southwesterly on a line fifteen feet from and parallel to the aforesaid northern boundary of said property a distance of nine hundred and ninety feet, more or less, to a point on the western boundary of said section 36; thence northerly along the western boundary of said section 36 to the point of beginning; and containing thirty-four one-hundredths acre, more or less.*

Approved, June 14, 1933.

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[CHAPTER 75.]

AN ACT

June 14, 1933.

[S. 1536.]

[Private, No. 12.]

Klamath irrigation  
project, Oreg.-Calif.

*Ante*, p. 1295, amend-  
ed.

Transfer of credit for  
water payments on  
damaged land, to new  
patents.

Giving credit for water charges paid on damaged land.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all construction charges heretofore paid by owners on lands to be conveyed to the United States of America pursuant to the Act of Congress approved March 23, 1933 (S. 156, Seventy-third Congress), shall be transferred as a credit to the lands to be so patented by the United States, and all payments of operation and maintenance charges with penalty and interest heretofore made on such of the lands to be conveyed as were not, in the determination of the Secretary of the Interior, during the period for which payment was made, susceptible of successful cultivation by reason of seepage, alkalinity, or other causes not within the control of the owners of such land, shall be allowed as credits on future construction, operation, and maintenance charges on the lands retained or those to be patented by the United States pursuant to the Act of Congress approved March 23, 1933 (S. 156, Seventy-third Congress). Like credit shall also be given the irrigation district for all the charges heretofore paid by it on such lands and for which the owners of said lands have not in turn reimbursed the irrigation district.*

Approved, June 14, 1933.

# PRIVATE LAWS OF THE SEVENTY-THIRD CONGRESS

OF THE  
UNITED STATES OF AMERICA

*Passed at the second session, which was begun and held at the city of Washington, in the District of Columbia, on Wednesday, the third day of January, 1934, and was adjourned without day on Monday, the eighteenth day of June, 1934.*

**FRANKLIN D. ROOSEVELT**, President; **JOHN N. GARNER**, Vice President; **KEY PITTMAN**, President of the Senate *pro tempore*; **HENRY T. RAINES**, Speaker of the House of Representatives.

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[CHAPTER 17.]

AN ACT

For the relief of Rolando B. Moffett.

February 20, 1934.  
[S. 248.]  
[Private, No. 13.]

Rolando B. Moffett.  
Military record corrected.

*Proviso.*  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Rolando B. Moffett, who was a member of Company H, Eleventh Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 30th day of September 1880: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, February 20, 1934.

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[CHAPTER 18.]

AN ACT

For the relief of Samson Davis.

February 20, 1934.  
[S. 381.]  
[Private, No. 14.]

Samson Davis.  
Military record corrected.

*Proviso.*  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Samson Davis, who was a member of the Hospital Corps, United States Army, shall be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 29th day of August 1902: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, February 20, 1934.

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[CHAPTER 19.]

AN ACT

For the relief of Francis N. Dominick.

February 20, 1934.  
[S. 727.]  
[Private, No. 15.]

Francis N. Dominick.  
Military record corrected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United*

*Proviso.*  
No back pay, etc.

United States Army Francis N. Dominick shall be held and considered to have served without desertion as a private, Sixty-sixth Company, United States Coast Artillery Corps, United States Army, and to have been honorably discharged from such service on October 19, 1903: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, February 20, 1934.

[CHAPTER 20.]

AN ACT

For the relief of Captain L. P. Worrall, Finance Department, United States Army.

February 20, 1934.  
[S. 2053.]  
[Private, No. 16.]

Capt. L. P. Worrall.  
Credit allowed, in  
accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of L. P. Worrall, Captain, Finance Department, United States Army, the sum of \$956.40, said amount being public funds for which he is accountable and which were lost when a safe in the Finance Office at Fort Douglas, Utah, was dynamited and robbed at approximately 11 o'clock postmeridian, October 28, 1932.

Approved, February 20, 1934.

[CHAPTER 21.]

AN ACT

For the relief of Charles C. Bennett.

February 20, 1934.  
[S. 2552.]  
[Private, No. 17.]

Charles C. Bennett.  
Payment to, for per-  
sonal injuries.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles C. Bennett, of the city of Candor, North Carolina, the sum of \$5,000 in full settlement of all claims against the Government for bodily injuries sustained by him on December 16, 1927, when an automobile in which he was riding was in collision with a reconnaissance truck of the United States Army, the said truck being one of a fleet of trucks traveling toward Fort Bragg, North Carolina, driven by Private Thomas C. Robertson, of Fort Bragg, North Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, February 20, 1934.

## [CHAPTER 22.]

AN ACT  
For the relief of George W. Edgerly.February 21, 1934.  
[S. 860.]  
[Private, No. 18.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to summon George W. Edgerly, late captain of Infantry and temporary major, Regular Army, before a retiring board, to inquire whether at the time of his resignation, September 18, 1919, he was incapacitated for active service, and whether such incapacity was a result of an incident of service, and if, as a result of such inquiry, it is found that he was so incapacitated, the President is authorized to nominate and appoint, by and with the advice and consent of the Senate, the said George W. Edgerly a captain of Infantry and place him immediately thereafter upon the retired list of the Army, with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for officers of the Regular Army: Provided, That the said George W. Edgerly shall not be entitled to any back pay or allowances by the passage of this Act.*

Approved, February 21, 1934.

George W. Edgerly.  
Summoned before  
Army retiring board to  
inquire as to fitness,  
etc.Appointment as Cap-  
tain, retired, on finding  
of board.Proviso.  
No back pay, etc.

## [CHAPTER 34.]

AN ACT  
For the relief of Henry M. Burns.February 26, 1934.  
[H.R. 890.]  
[Private, No. 19.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Henry M. Burns, who was a member of Company D, Twenty-eighth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 7th day of October 1913: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, February 26, 1934.

Henry M. Burns.  
Military record cor-  
rected.Proviso.  
No back pay, etc.

## [CHAPTER 35.]

AN ACT  
To authorize the settlement, allowance, and payment of certain claims, and for other purposes.February 26, 1934.  
[H.R. 5241.]  
[Private, No. 20.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payment to the American Appraisal Company for services rendered in the amount of \$750 for the appraisal of the Peter Lyall plant at Montreal, Canada, and for services rendered in the amount of \$1,250 for the appraisal of the Long Island Air Reserve Depot, New York, is hereby authorized to be made from the proceeds of the sale of surplus real estate under the jurisdiction of the War Department not as yet deposited in the Treasury to the credit of the military post construction fund, as provided for by the Act of Congress approved March 12, 1926 (44 Stat. 203).*

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized, notwithstanding the provisions of the Act of July 16, 1914 (38 Stat. 508), to adjust and settle the claims

Claims.  
Settlement of certain  
designated, authorized.  
*Ante*, p. 1055.  
American Appraisal  
Co.

Vol. 44, p. 203.

John A. Bellan.  
Vol. 38, p. 508,  
waived.

**Standard Oil Company.**

of John A. Bellan and the Standard Oil Company in the amounts of \$356 and \$8.49, respectively, for rental and operation of an automobile used in connection with improvements to the road system in the Vicksburg National Military Park, Mississippi, during the fiscal year 1931, and to certify same for payment from the appropriation "Vicksburg National Military Park", 1931.

**Damage claims.**

**Alleghany Forging Company.**

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the following claims and certify the same to Congress:

(a) Alleghany Forging Company on account of damages suffered by reason of excess in freight, hauling, labor, and incidental expenses due to shipment by the United States of salvaged material, purchased by claimant to wrong destination: \$174.92.

(b) Walter Bell on account of damages suffered by reason of destruction of mature vines of a cranberry bog by fire, which started on Camp Dix Military Reservation, and extended over said bog on or about June 3, 1930: \$2,500.

(c) Carl B. King Drilling Company, on account of damages suffered to its airplane due to an Army airplane running into it at Clover Field, California, on or about August 2, 1930: \$1,722.03.

(d) M. Giacalone, on account of damages suffered while engaged in rescuing an Army aviator and assisting in salvaging an Army airplane from the sea off the coast of Hawaii on or about October 30, 1930: \$459.61.

(e) Jact Buono, on account of damages suffered while engaged in rescuing an Army aviator and assisting in salvaging an Army airplane from the sea off the coast of Hawaii on or about October 30, 1930: \$469.88.

(f) Joseph Asaro, on account of damages suffered while engaged in rescuing an Army aviator and assisting in salvaging an Army airplane from the sea off the coast of Hawaii on or about October 30, 1930: \$459.

(g) Sam Harrison, on account of damages suffered by reason of a bomb dropping from an Army airship on a farmhouse owned by him near Scott Field, Illinois: \$1,982.

**Joseph Asaro.**

**Sam Harrison.**

**Loss of personal property.**

**Army civilian employees.**

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the following claims of civilian employees of the Army and certify the same to Congress: Emil Johns, \$22.23; John J. Spatz, Junior, \$79.79; Perry W. Stolzenberg, \$56.75; Paul D. McMahan, \$42.38; Oliver B. Tinley, \$42.35; Cleo Finch, \$18; Jesse P. Goodin, \$15.98; and Paul R. Gruhler, \$20, on account of private property belonging to them which was lost, destroyed, or damaged in a fire in a Government building at Wright Field, Ohio, on or about January 2, 1931, while said claimants were engaged in saving Government property.

SEC. 5. That the payment of any and all the claims herein authorized shall be in full payment thereof by the Government: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, February 26, 1934.

**Payment considered full settlement.**

**Proviso.**  
**Limitation on attorney's etc., fees.**

**Excessive, unlawful.**

**Penalty for.**

## [CHAPTER 36.]

## AN ACT

To provide for the reimbursement of Guillermo Medina, hydrographic surveyor, for the value of personal effects lost in the capsizing of a Navy whaleboat off Galera Island, Gulf of Panama.

February 26, 1934.  
[H.R. 5243.]  
(Private, No. 21.)

Guillermo Medina.  
Reimbursement of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$66.80 to Guillermo Medina in full compensation for the loss of personal property as the result of the capsizing of a United States Navy whaleboat off Galera Island, Gulf of Panama, on September 25, 1928.*

Approved, February 26, 1934.

## [CHAPTER 39.]

## AN ACT

For the relief of William C. Campbell.

March 2, 1934.  
[H.R. 5242.]  
(Private, No. 22.)

William C. Campbell.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to William C. Campbell, of Pawhuska, Oklahoma, out of any money in the Treasury not otherwise appropriated, the sum of \$64.64 in full satisfaction of his claim against the United States for one half of his deceased son's share in payment made to the Santee Sioux Indians in 1924, which was erroneously paid to another Indian of the same name.*

Approved, March 2, 1934.

## [CHAPTER 50.]

## AN ACT

For the relief of the Lebanon Equity Exchange, of Lebanon, Nebraska.

March 9, 1934.  
[S. 750.]  
(Private, No. 23.)

Lebanon Equity Exchange.  
Refund of income,  
etc., taxes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to receive, consider, and determine, in accordance with law but without regard to any statute of limitations, any claim filed not later than six months after the passage of this Act by the Lebanon Equity Exchange, Lebanon, Nebraska, for the refund of Federal income and profits taxes collected from the said Lebanon Equity Exchange for the year 1920 in excess of the amount properly due: Provided, That in the settlement of said claim there shall be no allowance of interest.*

Approved, March 9, 1934.

*Proviso.*  
Interest disallowed.

## [CHAPTER 51.]

## AN ACT

Authorizing the Secretary of the Treasury of the United States to refund to the Farmers' Grain Company of Omaha, Nebraska, income taxes illegally paid to the United States Treasurer.

March 9, 1934.  
[S. 751.]  
(Private, No. 24.)

Farmers' Grain Com-  
pany of Omaha, Nebr.  
Refund of illegally  
paid income taxes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to refund, from moneys not otherwise appropriated, the sum of \$2,186.36 to the Farmers' Grain Company, of Omaha, Nebraska, in full settlement*

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for viola-  
tions.

of all claims against the Government of the United States, this sum being paid illegally and through error by said company as income taxes to the Commissioner of Internal Revenue, and covered into the United States Treasury: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid of<sup>1</sup> delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 9, 1934.

[CHAPTER 57.]

March 12, 1934.  
[S. 1083.]

[Private, No. 25.]

Potomac Electric  
Power Company,  
Washington, D.C.  
Settlement of claim  
of, authorized.

Appropriation.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

AN ACT

Authorizing adjustment of the claim of the Potomac Electric Power Company of Washington, District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of the Potomac Electric Power Company for the balance necessary to reimburse it for the amount actually expended by said company in making electrical service connections from its mains to the control room on the east bascule draw span of the Arlington Memorial Bridge and to allow said company a balance of not to exceed \$2,157.25 in full settlement of all claims against the Government of the United States. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,157.25, or so much thereof as may be necessary, for payment of said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 12, 1934.

[CHAPTER 58.]

March 13, 1934.  
[S. 2.]

[Private, No. 26.]

C. M. Williamson, etc.  
Payment to.

AN ACT

For the relief of C. M. Williamson; Mrs. Tura Liljenquist, administratrix of C. E. Liljenquist, deceased; Lottie Redman; and H. N. Smith.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. M. Williamson;

<sup>1</sup> So in original.

Mrs. Tura Liljenquist, administratrix of C. E. Liljenquist, deceased; Lottie Redman; and H. N. Smith, in accordance with their respective interests, the sum of \$8,824.10. Such sum represents the amount expended by them in installing a pumping plant and making necessary connections to bring water to their land, on the Fort Hall Indian Reservation, and the amount paid by them to the Idaho Power Company during the years 1920 to 1927, inclusive, for power to operate said pumping plant: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 13, 1934.

*Provisions.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 59.]

AN ACT

For the relief of Warren J. Clear.

March 13, 1934.  
[S. 406.]  
[Private, No. 27.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Warren J. Clear, captain, United States Infantry, the sum of \$737 in reimbursement for the loss by earthquake and fire of personal property in Tokyo, Japan, on or about September 1, 1923, while he was serving as an attaché, American Embassy, Tokyo, Japan.*

Approved, March 13, 1934.

Warren J. Clear.  
Reimbursement for loss of personal property.

[CHAPTER 60.]

AN ACT

Authorizing adjustment of the claim of the Chicago, North Shore and Milwaukee Railroad Company.

March 13, 1934.  
[S. 1069.]  
[Private, No. 28.]

Chicago, North Shore and Milwaukee Railroad Company.  
Reimbursement for materials and labor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of the Chicago, North Shore and Milwaukee Railroad Company for reimbursement for materials furnished and labor supplied in repairing Chicago and Eastern Illinois gondola car numbered 93962 that was accidentally damaged on July 24, 1928, while spotted on Government tracks at Fort Sheridan, Illinois, and to allow not exceeding \$120.39 in full and final settlement of said claim. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$120.39, or so much thereof as may be necessary, for payment of said claim.*

Approved, March 13, 1934.

Appropriation.

## [CHAPTER 61.]

## AN ACT

March 13, 1934.  
[S. 1074.]  
[Private, No. 29.]

John T. Lennon and  
George T. Flora.  
Payment to.

Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow John T. Lennon and George T. Flora \$25 each in full and final settlement of their claims for blood furnished May 4 and May 11, 1926, respectively, for transfusion to Harvey J. Shoppe, a patient in a Government hospital. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50 for the payment of such claim.*

Approved, March 13, 1934.

## [CHAPTER 62.]

## AN ACT

March 13, 1934.  
[S. 1087.]  
[Private, No. 30.]

William T. Stiles.  
Payment to.

Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the claim of William T. Stiles for blood furnished October 11, 1926, for transfusion to Charles E. Williams, a patient in a Government hospital, and to allow in full and final settlement of said claim an amount not in excess of \$25. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$25 for the payment of such claim.*

Approved, March 13, 1934.

## [CHAPTER 63.]

## AN ACT

March 13, 1934.  
[S. 1347.]  
[Private, No. 31.]

Little Rock College,  
Ark.  
Credit in certain  
property accounts al-  
lowed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to reopen and allow credit in the property accounts of the Little Rock College, Little Rock, Arkansas, in the sum of \$1,451.41, representing certain articles of ordnance, quartermaster, and engineer property for which the said Little Rock College is held liable on reports or surveys, as follows: Numbers 7, 8, 11, and 12, approved January 13, 1926, and number 10, approved January 5, 1926.*

Approved, March 13, 1934.

## [CHAPTER 64.]

## AN ACT

March 13, 1934.  
[S. 1426.]  
[Private, No. 32.]

Benjamin Braznell.  
Refund of illegally  
collected taxes to estate  
of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to reopen and allow the claim of the Braddock Trust Company, executor of the estate of Benjamin Braznell, late of Pittsburgh, Pennsylvania, and refund the sum of \$2,323.47, in full settlement of all claims against the Government of the United States, the balance of taxes illegally collected, under existing laws and decisions:*

*Provided*, That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Approved, March 13, 1934.

Penalty for violation.

[CHAPTER 65.]

AN ACT

For the relief of Nannie Swearingen.

March 13, 1934.  
[S. 1496.]  
[Private, No. 33.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$50 per month in an amount not to exceed \$5,000 to Nannie Swearingen to compensate her for the death of her husband, who was struck by a Government-owned postal motor vehicle on November 26, 1926: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Nannie Swearingen.  
Payment to.

Maximum amount.

*Provviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

[CHAPTER 66.]

AN ACT

For the relief of the B. and O. Manufacturing Company.

March 13, 1934.  
[S. 1782.]  
[Private, No. 34.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of the B. and O. Manufacturing Company under contract numbered 12429, dated May 28, 1929, for extra expense in recruiting material for trousers delivered to said company by the Navy Department, and to allow not to exceed \$1,597.52 in full and final settlement of said claim. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,597.52, or so much thereof as may be necessary, to pay said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim.

B. and O. Manu-  
facturing Company.  
Payment to.

Appropriation.

*Provviso.*  
Limitation on at-  
torney's, etc., fees.

**Penalty for violation.**

ney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 13, 1934.

**[CHAPTER 67.]****AN ACT**

For the relief of the Neill Grocery Company.

March 13, 1934.  
[S. 2201.]

[Private, No. 35.]

Neill Grocery Com-  
pany.  
Reimbursement for  
court costs, etc.

Vol. 40, p. 276.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Neill Grocery Company, Wheeling, West Virginia, the sum of \$2,531.97. Such sum represents the amount of a fine and court costs paid on such date, by such company, pursuant to a conviction for violating certain provisions of the Lever Act of August 10, 1917, as amended, prior to the declaration by the Supreme Court of the United States of the invalidity of such provisions.*

Approved, March 13, 1934.

**[CHAPTER 68.]****AN ACT**

For the relief of Willie B. Cleverly.

March 14, 1934.  
[S. 407.]

[Private, No. 36.]

Willie B. Cleverly.  
Reimbursement for  
medical, etc., expenses.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willie B. Cleverly the sum of \$124.23, in full settlement of all claims against the Government of the United States for money expended by him in doctor's and hospital bills growing out of an injury which he received while in the performance of his duties as temporary surfman at the Point Allerton Station of the United States Coast Guard on January 13, 1924, at which time the said Cleverly was filling a vacancy in the personnel at that station: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, March 14, 1934.

## [CHAPTER 74.]

## AN ACT

For the relief of the Great American Indemnity Company of New York.

March 23, 1934.

[S. 356.]

[Private, No. 37.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Great American Indemnity Company of New York the sum of \$18,000, representing the amount paid by such company as surety on the forfeited bail bonds of four defendants in criminal proceedings brought by the United States, who surrendered the day after the entry of the judgments upon such bonds and were subsequently tried, convicted, and sentenced.*

Great American  
Indemnity Company  
of New York.  
Reimbursement on  
forfeited bail bond.

Approved, March 23, 1934.

## [CHAPTER 75.]

## AN ACT

For the relief of Albert N. Eichenlaub, alias Albert N. Oakleaf.

March 23, 1934.

[H.R. 891.]

[Private, No. 38.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Albert N. Eichenlaub, alias Albert N. Oakleaf, who was a member of Company G, Seventh Regiment Ohio Volunteer Infantry, and Company K, Seventeenth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 22d day of October 1900: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Albert N. Eichenlaub,  
alias Albert N.  
Oakleaf.  
Military record cor-  
rected.

Proviso.  
No back pay, etc.

Approved, March 23, 1934.

## [CHAPTER 76.]

## AN ACT

For the relief of Frank D. Whitfield.

March 23, 1934.

[H.R. 1015.]

[Private, No. 39.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Frank D. Whitfield, who served as a private in Company F, One Hundred and Twenty-third Regiment United States Infantry, Army serial number 1348550, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on March 14, 1921: Provided, That no bounty, back pay, pension, allowance, or any payment provided under the World War Veterans' Act, 1924, as amended, the World War Adjusted Compensation Act, 1924, as amended, or other benefit whatsoever to which said person may be or become entitled to by law, shall be held to have accrued prior to the passage of this Act.*

Frank D. Whitfield.  
Military record cor-  
rected.

Proviso.  
No back pay, etc.  
Vol. 43, pp. 607, 121.

Approved, March 23, 1934.

## [CHAPTER 77.]

March 23, 1934.

[H.R. 1413.]

[Private, No. 40.]

Leonard L. Dilger.  
Military record cor-  
rected.Proviso.  
No back pay, etc.

## AN ACT

For the relief of Leonard L. Dilger.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Leonard L. Dilger, who was a member of Company L, Third Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 25th day of September 1899: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, March 23, 1934.

## [CHAPTER 78.]

March 23, 1934.

[H.R. 2670.]

[Private, No. 41.]

James Wallace.  
Military record cor-  
rected.Proviso.  
No back pay, etc.

## AN ACT

For the relief of James Wallace.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers James Wallace, who was a member of Troop K, Sixth Regiment United States Cavalry, and who was honorably discharged therefrom on January 17, 1902, and reenlisted April 8, 1902, in Troop K, Fourth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on June 22, 1902, and notwithstanding any provisions to the contrary in the Act relating to pensions approved April 26, 1898, as amended by the Act approved May 11, 1908: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, March 23, 1934.

## [CHAPTER 79.]

March 23, 1934.

[H.R. 2743.]

[Private, No. 42.]

William M. Stod-  
dard.  
Military record cor-  
rected.Proviso.  
No back pay, etc.

## AN ACT

For the relief of William M. Stoddard.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William M. Stoddard, who was a member of Company D, Second Regiment Arkansas Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 25th day of February, 1899: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, March 23, 1934.

## [CHAPTER 80.]

## AN ACT

For the relief of Seth B. Simmons.

March 23, 1934.[H.R. 3072.][Private, No. 43.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Seth B. Simmons, who was a member of Company M, Fifth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 15th day of December 1908: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, March 23, 1934.

Seth B. Simmons.  
Military record corrected.

*Proviso.*  
No back pay, etc.

## [CHAPTER 81.]

## AN ACT

For the relief of William Herod.

March 23, 1934.[H.R. 3780.][Private, No. 44.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Herod the sum of \$4,000 in full settlement of all claims against the Government of the United States for injuries sustained by being injured by an automobile truck owned and operated by the Post Office Department: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, March 23, 1934.

William Herod.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

## [CHAPTER 82.]

## AN ACT

For the relief of Calvin M. Head.

March 23, 1934.[H.R. 5163.][Private, No. 45.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$350 be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the relief of Calvin M. Head, chief of police of Alma, Georgia, whose car was burned by bootleggers while he was assisting enforcement officers in destruction of stills some distance from where automobile was parked at roadside. Such sum shall be in full settlement of all claims against the Government of the United States: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or*

Calvin M. Head.  
Payment to, for loss of automobile.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 23, 1934.

**[CHAPTER 83.]**

March 23, 1934.  
[H.R. 7229.]  
[Private, No. 46.]

**Victor L. Berger.**  
Balance of salary as  
a Member of Congress,  
to be paid to estate of.

**Proviso.**  
Limitation on attorney's, etc., fees.

**Penalty for violation.****AN ACT**

For the relief of the estate of Victor L. Berger, deceased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be paid out of any money in the Treasury of the United States not otherwise appropriated, to the legal heirs of the estate of Victor L. Berger, deceased, the sum of \$9,856.12, in full settlement of all claims against the Government of the United States, the same being the unpaid balance, and without interest, of the salary to which the said Victor L. Berger would have been entitled as a member of Congress in the Sixty-sixth Congress, to which he had been regularly and duly elected but denied his seat therein because of his conviction for an alleged violation of the Espionage Act, which conviction was subsequently reversed by the United States Supreme Court, and the indictments nolle prossed on January 23, 1923, in the United States District Court for the Northern District of Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 23, 1934.

**[CHAPTER 85.]**

March 25, 1934.  
[H.R. 3554.]  
[Private, No. 47.]

**Pinkie Osborne.**  
Payment to, for personal injuries.

**Proviso.**  
Limitation on attorney's, etc., fees.

**AN ACT**

For the relief of Pinkie Osborne.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to Pinkie Osborne, of Elizabethtown, Hardin County, Kentucky, the sum of \$2,500 in full settlement of all claim against the United States for injuries arising out of a gunshot wound inflicted by the discharge of a machine gun at Elizabethtown on April 6, 1918: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold or receive any sum of the amount appropriated in this Act on account of services rendered in connection

with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding \$1,000.

Penalty for violation.

Approved, March 25, 1934.

[CHAPTER 91.]

AN ACT

To authorize the payment of hospital and other expenses arising from an injury to Florence Glass.

March 26, 1934.

[H.R. 5228.]

[Private, No. 48.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following creditors of Florence Glass the amounts specified after their names: Davis Memorial Hospital, Elkins, West Virginia, \$65.74; Doctor W. E. Whiteside, Parsons, West Virginia, \$6; Doctor Benjamin Ira Golden, Elkins, West Virginia, \$30; John W. Minear, Parsons, West Virginia, \$7. Such sums shall be paid in full settlement of all claims of the aforesaid creditors against Florence Glass in full settlement of all claims against the Government of the United States arising out of injuries sustained by her on February 2, 1931, when she was struck by a large stone during the construction of a road in the Monongahela National Forest in West Virginia.*

Florence Glass.  
Payment to designated creditors of, for hospital, etc., services.

Approved, March 26, 1934.

[CHAPTER 101.]

AN ACT

To authorize full settlement for professional services rendered to an officer of the United States Army.

March 27, 1934.

[H.R. 257.]

[Private, No. 49.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Doctor Walter E. Dandy the sum of \$1,000 out of any money in the Treasury not otherwise appropriated in full settlement for professional services rendered on November 26, 1928, to Major Frank V. Schneider, Infantry, United States Army, who was suffering from a rare and obscure disease contracted in the line of duty, the said services resulting in the cure and restoration to full duty of the said Major Frank V. Schneider.*

Dr. Walter E.  
Dandy.  
Payment to, for professional services.

Approved, March 27, 1934.

[CHAPTER 122.]

AN ACT

For the relief of Manuel Merritt.

April 13, 1934.

[S. 552.]

[Private, No. 50.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$40.20 to Manuel Merritt in payment of amount of loss sustained in postal funds by the failure and closing of the First National Bank of Roff, Oklahoma.*

Manuel Merritt.  
Reimbursement, for lost postal funds.

Approved, April 13, 1934.

## [CHAPTER 123.]

April 13, 1934.

[S. 2066.]

[Private, No. 51.]

Della D. Ledendecker.

License to practice chiropractic in the District of Columbia.

Vol. 45, p. 1335, waived.

## AN ACT

For the relief of Della D. Ledendecker.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commission on Licensure to Practice the Healing Art in the District of Columbia is hereby authorized to license Della D. Ledendecker to practice chiropractic in said District under the provisions of the Act entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", approved February 27, 1929, notwithstanding the provision therein requiring applications from candidates for licenses to practice chiropractic to be filed within ninety days from the date of the approval of said Act, and on condition that said Della D. Ledendecker shall otherwise be found by said commission to be qualified to practice under the provisions of said Act.*

Approved, April 13, 1934.

## [CHAPTER 124.]

## AN ACT

April 13, 1934.

[S. 2224.]

[Private, No. 52.]

Noank Shipyard, Incorporated.

Payment to.

Proviso.  
Limitation on attorneys', etc., fees.

Penalty for violation.

For the relief of the Noank Shipyard, Incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the Noank Shipyard, Incorporated, of Noank, Connecticut, the sum of \$1,700, in full settlement of all claims against the Government of the United States, to complete the payment to the said Noank Shipyard, Incorporated, of a bill for repairs, which it completed under contract numbered W-971-qm-247, dated January 7, 1928, of Quartermaster Department on Army mine planter Brigadier General Absalom Baird, which sum represents a penalty of \$100 per day for seventeen days' alleged delay in delivery of said steamship Baird after completion of repairs, said delay being due to causes partly attributable to acts of Government agents and wholly beyond the control of the contractor: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, April 13, 1934.

## [CHAPTER 125.]

## AN ACT

For the relief of Ernest B. Butte.

April 13, 1934.

[H. R. 305.]

[Private, No. 53.]

Ernest B. Butte.  
Military record corrected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Ernest B. Butte, late of Company L,*

Twenty-ninth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 13th day of March 1906: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

*Proviso.*  
No back pay, etc.

Approved, April 13, 1934.

[CHAPTER 126.]

AN ACT  
For the relief of Lucy Murphy.

April 13, 1934.  
[H.R. 409.]  
[Private, No. 54.]

Lucy Murphy.  
Payment to, for  
death of husband.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucy Murphy the sum of \$5,000 in full settlement of all claims against the Government of the United States as reimbursement to her for the loss suffered by her in the death of her husband, Maurice Murphy, whose death occurred on April 21, 1929, without fault on his part or on her part, through the collision of a trimotored Ford airplane belonging to the Maddux Air Lines, Incorporated, of Los Angeles, California, bearing factory number 5-AT-10, license numbered NC 9636, near San Diego, California, with an airplane belonging to the War Department of the United States, which was then and there operated in a wrongful and negligent manner by Lieutenant Howard Keefer, a United States pilot, then and there flying under orders and in line of duty: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

*Proviso.*  
Limitation on attorney's, etc., fees.

Approved, April 13, 1934.

Penalty for violations.

[CHAPTER 127.]

AN ACT  
For the relief of Primo Tiburzio.

April 13, 1934.  
[H.R. 881.]  
[Private, No. 55.]

Primo Tiburzio.  
Compensation for  
death of daughter.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Primo Tiburzio, of Columbus, Ohio, the sum of \$1,000 in full settlement of all claims against the Government of the United States, as compensation for the death of his daughter, Mary Tiburzio, who was killed when struck by a United States mail truck on September 18, 1930: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to*

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 13, 1934.

**[CHAPTER 128.]**

April 13, 1934.

[H.R. 1403.]

[Private, No. 56.]

David I. Brown.  
Military service cor-  
rected.

*Proviso.*  
No back pay, etc.

**AN ACT**

For the relief of David I. Brown.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, their widows, or dependent relatives, David I. Brown, formerly a private of Company E, Twenty-eighth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 17th day of January 1903: Provided, That no pay, pension, bounty, or other emoluments shall be held to have accrued prior to the passage of this Act.*

Approved, April 13, 1934.

**[CHAPTER 129.]**

April 13, 1934.

[H.R. 2342.]

[Private, No. 57.]

Chambliss L. Tidwell.  
Certain limitations  
of Employees' Com-  
pensation Act waived  
in favor of widow of.  
Vol. 39, p. 746; Vol.  
44, p. 772.

*Proviso.*  
No back pay, etc.

**AN ACT**

For the relief of Lota Tidwell, the widow of Chambliss L. Tidwell.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15, 17, 18, and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of the widow of Chambliss L. Tidwell, a civilian employee of the Mississippi River Commission, who contracted pulmonary tuberculosis in such service, and his case is hereby authorized to be considered and acted upon under the remaining provision of such Act, and that such widow shall be subrogated to all rights of said deceased.*

Approved, April 13, 1934.

**[CHAPTER 130.]**

April 13, 1934.

[H.R. 2509.]

[Private, No. 58.]

John Newman.  
Military record cor-  
rected.

*Proviso.*  
No back pay, etc.

**AN ACT**

For the relief of John Newman.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John Newman, recently of the United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private from Company B, Ninth Regiment United States Infantry, on the 5th day of August 1902: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, April 13, 1934.

## [CHAPTER 131.]

## AN ACT

For the relief of Charles J. Eisenhauer.

April 13, 1934.

[H.R. 2630.]

[Private, No. 69.]

Charles J. Eisenhauer.  
Payment to, for personal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Charles J. Eisenhauer, of Brooklyn, New York, in full settlement of all claims against the Government of the United States for injuries sustained June 2, 1919, in the city of Brooklyn, New York, when struck by an automobile truck of the United States Marine Corps: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, April 13, 1934.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 132.]

## AN ACT

For the relief of George G. Slonaker.

April 13, 1934.

[H.R. 2990.]

[Private, No. 60.]

George G. Slonaker.  
Benefits of Employees' Compensation Act extended to.

Vol. 39, p. 746.

Proviso.  
Time for filing claim.

No prior benefits.

## [CHAPTER 133.]

## AN ACT

For the relief of Erney S. Blazer.

April 13, 1934.

[H.R. 3997.]

[Private, No. 61.]

Erney S. Blazer.  
Military record corrected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Erney S. Blazer, who was a member of Company E, Second Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that*

*Proviso.*  
No back pay, etc.

organization on the 22d day of October 1902: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, April 13, 1934.

[CHAPTER 134.]

April 13, 1934.  
[H.R. 4066.]  
[Private, No. 62.]

*Emma F. Taber.*  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violations.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Emma F. Taber, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 in full settlement of all claims against the Government of the United States for expenses and attendance charges incurred by her on account of injuries sustained by being struck by a Government-owned motor vehicle in Dorchester, Massachusetts, on September 12, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 13, 1934.

[CHAPTER 135.]

April 13, 1934.  
[H.R. 4252.]  
[Private, No. 63.]

*Mary Elizabeth O'Brien.*  
Certain limitations of Employees' Compensation Act waived in favor of.

*Proviso.*  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", are hereby waived in favor of Mary Elizabeth O'Brien, a former employee of the United States Veterans' Bureau: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, April 13, 1934.

[CHAPTER 136.]

April 13, 1934.  
[H.R. 5007.]  
[Private, No. 64.]

*Lissie Maud Green.*  
Relief of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Lissie Maud Green, widow of Charles F. Green, as to whether said Charles F. Green suffered an injury causing his death July 30, 1921, while employed in the Postal Service as a rural letter carrier, compensable under said Act and

after the date of its enactment, in the same manner and to the same extent as if said Charles F. Green or Lissie Maud Green had made application for the benefits of said Act within the one-year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, April 13, 1934.

Vol. 39, p. 742.  
*Proviso.*  
No prior benefits.

[CHAPTER 137.]

AN ACT

For the relief of Warren F. Avery.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Warren F. Avery, a private of Engineers, unassigned, United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 31st day of January 1929: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act or subsequent thereto.

Approved, April 13, 1934.

April 13, 1934.  
[H.R. 6522.]  
[Private, No. 65.]

Warren F. Avery.  
Military record corrected.

*Proviso.*  
No back pay, etc.

[CHAPTER 141.]

AN ACT

For the relief of Joe Setton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joe Setton, of New York City, the sum of \$500. Such sum represents the amount of a bond forfeited to the United States by the said Joe Setton, such bond being conditioned upon the voluntary departure of his mother, Sabout Setton, from the United States at the expiration of one year after her admission to the United States as a nonimmigrant alien. Due to illness, she was unable to depart, but the said Joe Setton made no application within the prescribed period for an extension of time of her temporary visit, having no knowledge that such extension was necessary: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1934.

April 14, 1934.  
[H.R. 4268.]  
[Private, No. 66.]

Joe Setton.  
Reimbursement for forfeited immigration bond.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 142.]

April 14, 1934.

[H.R. 6084.]

[Private, No. 67.]

Lottie W. McCaskill.  
Credit in postal ac-  
counts.

AN ACT

For the relief of Lottie W. McCaskill.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lottie W. McCaskill, the sum of \$271. Such sum represents the amount paid by the said Lottie W. McCaskill to the United States to cover the shortage in her accounts as postmaster at Cassatt, South Carolina, caused by the theft in the year 1928, on the night of December 29, of postal funds and stamps, and so forth, from said post office.*

Approved, April 14, 1934.

[CHAPTER 149.]

April 17, 1934.

[S. 103.]

[Private, No. 68.]

Captain Guy M.  
Kinman.  
Payment to.

AN ACT

For the relief of Captain Guy M. Kinman.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Guy M. Kinman, captain, United States Army, Washington, District of Columbia, the sum of \$1,582.70, in full satisfaction of his loss on account of damage by water to his household goods on August 18, 1931, while temporarily in authorized storage in a Government warehouse at Fort Myer, Virginia, in connection with authorized change of station.*

Approved, April 17, 1934.

[CHAPTER 150.]

April 18, 1934.

[S. 1091.]

[Private, No. 69.]

Edward F. Goltra.  
Claims of, referred  
to Court of Claims.

Proros.  
Suits; limitation.

Right of appeal.

AN ACT

Conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of Edward F. Goltra against the United States arising out of the taking of certain vessels and unloading apparatus.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States, whose duty it shall be, notwithstanding the lapse of time or the bar of any statute of limitations or previous court decisions, to hear, consider, and render judgment on the claims of Edward F. Goltra against the United States for just compensation to him for certain vessels and unloading apparatus taken, whether tortiously or not, on March 25, 1923, by the United States under orders of the Acting Secretary of War, for the use and benefit of the United States; and any other legal or equitable claims arising out of the transactions in connection therewith: Provided, That separate suits may be brought with respect to the vessels and the unloading apparatus, but no suit shall be brought after the expiration of one year from the effective date of this Act: Provided further, That either party may appeal as of right to the Supreme Court of the United States from any judgment in said case at any time within ninety days after the rendition thereof, and any judgment rendered in favor of the claimant shall be paid in the same manner as other judgments of said Court of Claims are paid.*

Approved, April 18, 1934.

## [CHAPTER 151.]

## AN ACT

To provide for the settlement of damage claims arising from the construction of the Petrolia-Fort Worth gas-pipe line.

April 18, 1934.  
[S. 2315.]  
[Private, No. 70.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized to transmit to the General Accounting Office for payment, in accordance with the approved findings contained in the report rendered by Lieutenant Ira P. Griffin, Civil Engineer Corps, United States Navy, to the Navy Department under date of July 29, 1921, all unpaid claims for rights-of-way and damages to private property sustained in connection with the construction on behalf of the United States during the years 1918 and 1919, of a gas-pipe line extending from Petrolia to Fort Worth, Texas.

Petrolia-Fort Worth,  
Tex., gas-pipe line.  
Unpaid rights-of-way  
and damage claims  
arising from, to be  
settled.

SEC. 2. That the Secretary of the Navy is also authorized to transmit to the General Accounting Office for payment the claim of W. S. Wakeman in the sum of \$65 in addition to the sum for said claimant approved in the above-mentioned report.

W. S. Wakeman.  
Additional claim to  
be paid.

SEC. 3. That acceptance by any claimant of an amount offered for settlement pursuant to this Act shall be deemed to be in full settlement of his claim against the United States.

Acceptance deemed  
full settlement.

SEC. 4. No payment shall be made to any claimant under the provisions of this Act who has received satisfaction from any other source for the damages sustained due to the laying of said gas-pipe line.

Payment restricted  
if satisfaction received  
otherwise.

SEC. 5. That there is hereby authorized to be appropriated for the purposes of this Act, out of any money in the Treasury not otherwise appropriated, the sum of \$7,356.75.

Appropriation au-  
thorized.

Approved, April 18, 1934.

## [CHAPTER 152.]

## AN ACT

Conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the four-masted auxiliary bark Quevilly against the United States, and for other purposes.

April 18, 1934.  
[S. 1934.]  
[Private, No. 71.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claim of Compagnie Maritime Normande, formerly known as "Société Anonyme du Quevilly", owner of the four-masted auxiliary bark Quevilly, against the United States for damages alleged to have been caused by collision between said four-masted auxiliary bark Quevilly and the United States destroyer Sampson on January 26, 1917, may be determined in a suit to be brought by said claimant against the United States in the United States District Court for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court in admiralty cases, and that said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages, and costs, if any, as shall be found due against the United States in favor of the said Compagnie Maritime Normande, formerly known as "Société Anonyme du Quevilly", or against the said Compagnie Maritime Normande, formerly known as "Société Anonyme du Quevilly", in favor of the United States, by reason of said collision, upon the same principles and under the same measures of liability as in like cases between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and upon such notice

"Quevilly", auxil-  
iary bark.  
Owner of, may bring  
suit for collision dam-  
ages in district court.

Jurisdiction of court.

*Proviso.*  
Notice to Attorney  
General.

Commencement of  
suit.

it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within four months of the date of the approval of this Act.

Approved, April 18, 1934.

[CHAPTER 153.]

April 18, 1934.

[S. 1935.]

[Private, No. 72.]

AN ACT

To amend the Act of March 2, 1929, conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the steamship W. I. Radcliffe against the United States, and for other purposes.

"W. I. Radcliffe",  
steamship.  
Names of owners of,  
in suit for collision  
damages changed.  
Vol. 45, p. 2351,  
amended.

Continuance of suit.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of Congress (H.R. 11698) approved March 2, 1929 (Private Numbered 480 Seventieth Congress), entitled "An Act conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the steamship W. I. Radcliffe against the United States, and for other purposes", be, and the same hereby is, amended by deleting therefrom the words "Wynstay Steamship Company (Limited), a British corporation, owner", and substituting in the place and stead thereof the words "Wynnstay Steamship Company, Limited, and W. I. Radcliffe Steamship Company, Limited, British corporations, owners", and that said Act be further amended by deleting therefrom wherever they may appear the words "Wynstay Steamship Company (Limited)" and substituting in the place and stead thereof the words "Wynnstay Steamship Company, Limited, and W. I. Radcliffe Steamship Company, Limited"; and that the suit heretofore commenced in the United States District Court for the Southern District of New York, under the said Act of March 2, 1929, may be continued in the names of Wynnstay Steamship Company, Limited, and W. I. Radcliffe Steamship Company, Limited, as parties libelant.

Approved, April 18, 1934.

[CHAPTER 155.]

April 19, 1934.

[S. 1075.]

[Private, No. 73.]

AN ACT

For the relief of Walter Thomas Foreman.

Walter Thomas Fore-  
man.

Certain provisions of  
Employees' Compen-  
sation Act waived in  
favor of.

Proviso.  
No back pay.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Walter Thomas Foreman, former employee of the United States Shipping Board, who now resides at Albemarle, North Carolina: *Provided*, That compensation, if any, shall commence from and after the date of the passage of this Act.

Approved, April 19, 1934.

[CHAPTER 160.]

April 23, 1934.

[S. 1076.]

[Private, No. 74.]

AN ACT

Authorizing adjustment of the claim of the Franklin Surety Company.

Franklin Surety  
Company.  
Claim of, for extra  
work, to be adjusted.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of the Franklin Surety Company for

extra work performed in connection with the completion of contract of April 10, 1929, between the United States and the Wiglan Building Company, Incorporated, for remodeling the Government warehouse at New York, New York, and to allow thereon not to exceed \$11,725.71 in full and final settlement of all claims by the said Franklin Surety Company against the United States arising out of said contract. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$11,725.71, or so much thereof as may be necessary, for payment of said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 23, 1934.

Appropriation.

*Proviso.*  
Restriction on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 166.]

AN ACT

To authorize the waiver or remission of certain coal-lease rentals, and for other purposes.

April 26, 1934.  
[S. 606]  
[Private, No. 75.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to waive and remit all rentals due the United States and charged against the Alaska Matanuska Coal Company, holder of Anchorage, Alaska, coal-land lease numbered 04794-05236, between April 3, 1926, and May 3, 1929, during which period the lessee company was out of possession and prevented from operating said mine because same was in the hands of a receiver appointed by the United States Court for the District of Alaska; also between July 10, 1931, and August 10, 1932, during which period the Alaska Railroad was in possession of said mine and operating same, reimbursing itself therefor by mining, removing, and using coal.*

Approved, April 26, 1934.

Alaska Matanuska  
Coal Company.  
Remission of certain  
coal lease rentals au-  
thorized.

[CHAPTER 185.]

AN ACT

For the relief of Anna Marie Sanford.

April 30, 1934.  
[H.R. 232]  
[Private, No. 76.]

William Richard  
Sanford.  
Claim of widow.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Anna Marie Sanford widow of William Richard Sanford, deceased, former furnace man, Navy Yard, Washington, District of Columbia, in the same manner and to the same extent as if said William Richard Sanford had made application for the benefits of said Act within the one-year period required by sections 17 and 20 thereof, and notwithstanding the*

*Proviso.*  
No prior benefits.

lapse of time between the injury sustained by the said William Richard Sanford at the Washington Navy Yard and his death: *Provided*, That no benefit shall accrue prior to the approval of this Act.

Approved, April 30, 1934.

[CHAPTER 186.]

April 30, 1934.  
[H.R. 666.]  
[Private, No. 77.]

Charles W. Dwo-  
rack.  
Claim of.  
Vol. 39, p. 746;  
U.S.C., p. 79.

*Proviso.*  
No prior benefits.

Merits of claim to be  
determined.

AN ACT  
For the relief of Charles W. Dvorack.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U.S.C., title 5, secs. 767 and 770), are hereby waived in favor of Charles W. Dvorack, who was injured while in the employ of the Federal Government on February 12, 1922, at the time of the burning of the airship Roma, and the said Charles W. Dvorack is hereby granted the benefits of the other provisions of said Act as amended: *Provided*, That no benefits shall accrue hereunder until the enactment of this Act: *Provided*, Said compensation commission is to determine the merit and justice of this claim under the provisions of said compensation Act.

Approved, April 30, 1934.

[CHAPTER 187.]

April 30, 1934.  
[H.R. 1398.]  
[Private, No. 78.]

Lewis E. Green.  
Claim of, for personal  
injuries, to be deter-  
mined.

Vol. 39, p. 746.  
U.S.C., p. 79.

AN ACT  
For the relief of Lewis E. Green.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission is hereby authorized and instructed to receive and determine the claim of Lewis E. Green, a former employee in the United States Arsenal at Tullytown, Pennsylvania, without regard to the limitation of time within which such claims are to be filed under the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended.

Approved, April 30, 1934.

[CHAPTER 188.]

April 30, 1934.  
[H.R. 2612.]  
[Private, No. 79.]

John Moore.  
Claim of.  
Vol. 39, p. 746.

AN ACT

For the relief of John Moore.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of John Moore, on account of injuries sustained by him while employed by the War Department at Detroit, Michigan, on or about August 18, 1919, in the same manner and to the same extent as if said John Moore had made application for the benefits of the Act entitled "An Act to provide compensation

for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, within the one-year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to the approval of this Act: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 30, 1934.

*Proviso.*  
No prior benefits to accrue.

Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 189.]

AN ACT  
For the relief of T. Perry Higgins.

May 1, 1934.  
[H.R. 518.]  
[Private, No. 80.]

T. Perry Higgins.  
Claim of.  
Vol. 39, p. 746.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of T. Perry Higgins for disability from arterial rheumatism alleged to have been contracted in the course of his employment as a civilian in the Army Transport Service of the United States during the World War, in the same manner and to the same extent as if the said T. Perry Higgins had made application for the benefits of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, within the one-year period required by sections 17 and 20 thereof: Provided, That no benefits shall accrue prior to the approval of this Act.*

Approved, May 1, 1934.

*Proviso.*  
No back pay.

[CHAPTER 190.]

AN ACT  
For the relief of D. F. Phillips.

May 1, 1934.  
[H.R. 2666.]  
[Private, No. 81.]

D. F. Phillips.  
Claim of.  
Vol. 39, p. 746.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and hereby is, authorized to consider and pass upon the application of D. F. Phillips, former rural free delivery carrier at Resaca, Georgia, for the benefits of the Compensation Act approved September 7, 1916, on account of an injury occurring in the year 1919, notwithstanding the provisions of section 20 of said Act requiring that all claims be filed within one year from the date of injury: Provided, That no benefits shall accrue prior to the passage of this Act.*

Approved, May 1, 1934.

*Proviso.*  
No prior benefits.

## [CHAPTER 197.]

May 3, 1934.  
[H.R. 210.]

[Private, No. 82.]

Clarence Rice Slo-  
cum.  
Payment to widow  
of.

Appropriation for.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of Anne B. Slocum.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Anne B. Slocum, widow of Clarence Rice Slocum, late American Consul at Fiume, the sum of \$3,500, being one year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 3, 1934.

## [CHAPTER 198.]

May 3, 1934.  
[H.R. 233.]

[Private, No. 83.]

Florence Hudgins  
Lindsay and Elizabeth  
Lindsay.  
Payments to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of Florence Hudgins Lindsay and Elizabeth Lindsay.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Florence Hudgins Lindsay and Elizabeth Lindsay, mother and sister, respectively, of Roland Martin Lindsay and James Lawrence Lindsay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, one-half to each, in full settlement of all claims against the Government of the United States, for loss and damages sustained by reason of the death of said Roland Martin Lindsay and James Lawrence Lindsay on account of injuries sustained on the 6th day of October 1931, from collision with a United States Army truck operated near Grafton, York County, Virginia, occasioned by the said truck being operated on a dark night and without being properly lighted: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 3, 1934.

## [CHAPTER 199.]

## AN ACT

For the relief of Harvey M. Hunter.

May 3, 1934.

[H. R. 323.]

[Private, No. 84.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to reimburse Harvey M. Hunter, civilian ammunition foreman of the Ordnance Department, United States Army, the sum of \$71.50, out of any money in the Treasury not otherwise appropriated, for damage done to household goods during transportation from station at Baltimore, Maryland, to new station at San Francisco, California, August 7, 1928, to October 18, 1928, in full settlement of all claims against the Government of the United States.

Approved, May 3, 1934.

Harvey M. Hunter.  
Reimbursement for  
property damages.

## [CHAPTER 200.]

## AN ACT

For the relief of the city of Glendale, California.

May 3, 1934.

[H. R. 470.]

[Private, No. 85.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,157.96 to the city of Glendale, State of California, in full settlement of all claims against the Government of the United States for damages to a pump house and equipment owned by the said city of Glendale, State of California, caused by the crash of an airplane owned and operated by the United States Navy, and the fire resulting therefrom, on the 16th day of October, 1924, said damages being without fault or contributory<sup>1</sup> negligence on the part of the city of Glendale: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 3, 1934.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 201.]

## AN ACT

For the relief of Ward A. Jefferson.

May 3, 1934.

[H. R. 520.]

[Private, No. 86.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States is hereby authorized and directed to cancel the indebtedness of Ward A. Jefferson in the amount of \$1,197.57, arising out of the fact that for the period from March 1, 1929, to January 10, 1931, he was paid for services rendered by him as a bridge tender on the Cape Cod Canal and also as rural mail carrier on the route from West Wareham, Massachusetts, the

Ward A. Jefferson.  
Double salary restriction waived in favor of.<sup>1</sup> So in original.

Vol. 39, pp. 110, 582.  
U.S.C., p. 31.

payment of such dual compensation being in contravention of the provisions of section 6 of the Act of May 10, 1916, as amended by the Act of August 29, 1916 (39 Stat. 582; U.S.C., title 5, sec. 58).

Approved, May 3, 1934.

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[CHAPTER 202.]

May 3, 1934.  
[H.R. 1301.]

[Private, No. 87.]

M. Aileen Offerman.  
Payment to, for per-  
sonal injuries.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

AN ACT

For the relief of M. Aileen Offerman.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay M. Aileen Offerman, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full settlement of all claims against the Government of the United States for personal injuries and property damage resulting from a collision with United States truck numbered 430870, at Five Corners of the Shore Highway, at Middletown, New Jersey, on December 4, 1930: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 3, 1934.

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[CHAPTER 203.]

AN ACT

For the relief of P. Jean des Garennes.

May 3, 1934.  
[H.R. 2040.]

[Private, No. 88.]

P. Jean des Ga-  
rennes.  
Monthly payment to.

Chargeable to "Pay,  
Naval Academy."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to pay to P. Jean des Garennes, formerly a professor at the United States Naval Academy, now blind and totally incapacitated, the sum of \$50 per month for the remainder of his life, beginning with the month in which this Act is approved, chargeable to the appropriation "Pay, Naval Academy."*

Approved, May 3, 1934.

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[CHAPTER 204.]

AN ACT

For the relief of Irwin D. Coyle.

May 3, 1934.  
[H.R. 2041.]

[Private, No. 89.]

Irwin D. Coyle.  
Credit in accounts.

*Proviso.*  
John B. Manghan,  
recredit of accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Irwin D. Coyle, lieutenant commander, United States Navy, in the sum of \$911.94, representing payment made by him to an officer of the Navy in accordance with orders of the Navy Department, which payment was disallowed by the Comptroller General: Provided, That the Comptroller General of the United States is hereby authorized and directed to recredit the accounts of Chief Boatswain John B. Manghan, United States Navy,*

deceased, with the sum of \$165.95, which amount was due and unpaid to Chief Boatswain Manghan at the date of his death on May 23, 1932, and was subsequently applied by the Comptroller General of the United States to offset in part the disallowance of \$911.94 then outstanding in the accounts of Lieutenant Commander Irwin D. Coyle, Supply Corps, United States Navy.

Approved, May 3, 1934.

[CHAPTER 205.]

AN ACT

For the relief of Edward V. Bryant.

May 3, 1934.  
[H.R. 2169.]

[Private, No. 90.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Edward V. Bryant, out of any money in the Treasury not otherwise appropriated, the sum of \$2,400, the amount of a fine paid by Edward V. Bryant in pursuance of a judgment entered upon a plea nolo contendere under certain provisions of the so-called "Lever Act" previous to the time that the Supreme Court of the United States held such provisions void, the said plea and said payment being made under a stipulation as follows: "In consideration that the Attorney General and his court shall accept the plea nolo contendere which I hereby tender to the above-entitled indictment, I do hereby waive any and all fines which the court may see fit to impose upon me upon such plea, except in the event that the so-called 'Lever Act' under which said indictment is found shall be declared unconstitutional by the Supreme Court of the United States and that no prosecution could be sustained upon the facts stated in said indictment."*

Approved, May 3, 1934.

Edward V. Bryant.  
Return of fine paid  
by.

Vol. 41, p. 298.

[CHAPTER 206.]

AN ACT

For the relief of Harry L. Haberkorn.

May 3, 1934.  
[H.R. 2337.]

[Private, No. 91.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry L. Haberkorn, San Antonio, Texas, the sum of \$2,750 in full settlement of all claims against the Government of the United States for services actually performed as a clerk to Harry M. Wurzbach from March 4, 1929, to February 9, 1930, both dates inclusive, said Wurzbach having been declared by the House of Representatives duly elected as a Representative from the fourteenth congressional district of Texas in the Seventy-first Congress for the term commencing March 4, 1929: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Harry L. Haberkorn.  
Payment to, for services.

*Proriso.  
Limitation on attorney's, etc., fees.*

Penalty for violation.

Approved, May 3, 1934.

## [CHAPTER 207.]

## AN ACT

May 3, 1934.  
[H.R. 2818.]

[Private, No. 92.]

Katherine G. Taylor.  
Payment to, for medical aid rendered.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

For the relief of Katherine G. Taylor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherine G. Taylor, superintendent Taylor Hospital, Ridley Park, Pennsylvania, the sum of \$159. Such sum shall be in full satisfaction of all claims against the United States for medical aid rendered to Laura Mae Kurtz as a result of being struck by United States Army Cadillac truck numbered 60186 on March 20, 1929, near Ridley Park, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 3, 1934.

## [CHAPTER 208.]

## AN ACT

For the relief of Frank Wilkins.

May 3, 1934.  
[H.R. 4542.]

[Private, No. 93.]

Frank Wilkins.  
Payment to, for death of horse.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$100 to Frank Wilkins for the death of a horse caused by a shot on the military reservation at Fort McPherson, Georgia, in December 1925.

Approved, May 3, 1934.

## [CHAPTER 209.]

## AN ACT

For the relief of Augustus Thompson.

May 3, 1934.  
[H.R. 4609.]

[Private, No. 94.]

Augustus Thompson.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be paid out of the contingent funds of the House to Augustus Thompson, a former member of the House Office Building police force, the sum of \$2,500 in full settlement of all claims against the Government of the United States on account of personal injuries sustained by said Augustus Thompson in the House Office Building on February 27, 1930, while in the discharge of duty: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with

said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, May 3, 1934.

[CHAPTER 225.]

AN ACT

For the relief of William K. Lovett.

May 7, 1934.

[H.R. 191.]

[Private, No. 95.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William K. Lovett, Wildwood, New Jersey, the sum of \$2,050 in full settlement against the Government for loss of the motor sloop Edith and cargo while engaged in rendering assistance to the keeper and crew of the Holly Beach Life Saving Station at Cold Spring Inlet, New Jersey, on October 6, 1913: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

William K. Lovett.  
Payment to, for loss  
of sloop and cargo.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 7, 1934.

[CHAPTER 226.]

AN ACT

For the relief of Marguerite Ciscoe.

May 7, 1934.

[H.R. 284.]

[Private, No. 96.]

Marguerite Ciscoe.  
Payment to.

Proviso.  
Limitation on attorney's etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Marguerite Ciscoe, widow of William Ciscoe, who was fatally injured as a result of being struck by a United States mail truck numbered 4182, New York City, New York, on July 18, 1931, suffering injuries which caused his death on November 12, 1931: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

## [CHAPTER 227.]

May 7, 1934.  
[H.R. 408.]  
[Private, No. 97.]

William J. Nowinski.  
Naval record cor-  
rected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in computation of service for pay purposes, Lieutenant (Junior Grade) William J. Nowinski, Supply Corps, United States Navy, shall be held and considered to have entered a commissioned status in the Navy on April 19, 1926.*

Approved, May 7, 1934.

## [CHAPTER 228.]

May 7, 1934.  
[H.R. 526.]  
[Private, No. 98.]

Arthur K. Finney.  
Compensation for  
services.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur K. Finney, of Plymouth, Massachusetts, the sum of \$108.77 in full compensation for handling two carloads of coal, totaling eighty-four and nineteen one hundredths tons, sold to the United States Government and delivered to the Federal Building at Plymouth, Massachusetts.*

Approved, May 7, 1934.

## [CHAPTER 229.]

May 7, 1934.  
[H.R. 768.]  
[Private, No. 99.]

William E. Bos-  
worth.  
Redemption of lost  
Victory gold note.

Proviso.  
Condition.

Indemnity bonds.

Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of William J. Nowinski.

## AN ACT

For the relief of Arthur K. Finney.

## AN ACT

For the relief of William E. Bosworth.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of William E. Bosworth, coupon note numbered A-131,414 in the denomination of \$500 of the Victory 4 $\frac{3}{4}$  per centum convertible gold notes of 1922-1923, matured May 20, 1923, without interest and without presentation of said note which is alleged to have been stolen or destroyed, provided the said note shall not have been previously presented and paid: Provided, That said William E. Bosworth shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of said note in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the theft or destruction of the note hereinbefore described: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

## [CHAPTER 230.]

## AN ACT

For the relief of John H. Mehrle.

May 7, 1934.  
[H.R. 879.]  
[Private, No. 100.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John H. Mehrle, of Columbus, Ohio, the sum of \$1,000, in full settlement against the Government for injuries received when struck by a Government mail truck at the intersection of Fourth and Spring Streets, Columbus, Ohio, on September 5, 1930: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

John H. Mehrle.  
Payment to, for personal injuries.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 231.]

## AN ACT

For the relief of Daisy M. Avery.

May 7, 1934.  
[H.R. 880.]  
[Private, No. 101.]Daisy M. Avery.  
Payment to, for personal injuries.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 232.]

## AN ACT

For the relief of Edna B. Wylie.

May 7, 1934.  
[H.R. 1362.]  
[Private, No. 102.]Edna B. Wylie.  
Reimbursement for lost postal funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Edna B. Wylie, postmaster of Derby, Iowa, out of any money in*

the Treasury not otherwise appropriated, the sum of \$22.90, being the amount of postal funds lost in the failure of the First National Bank of Derby, Iowa, on or about February 10, 1928.

Approved, May 7, 1934.

[CHAPTER 233.]

May 7, 1934.  
[H.R. 1418.]

[Private, No. 103.]

W. C. Garber.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

AN ACT

For the relief of W. C. Garber.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to W. C. Garber, out of any money in the Treasury not otherwise appropriated, the sum of \$112.44 in full settlement of all claims against the Government of the United States, under an agreement by which the Government exercised an option to rent certain property to be used as a landing field, although the project was abandoned by the Government, and this sum as accrued rental recommended by the Department of Commerce for payment: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 7, 1934.

[CHAPTER 234.]

May 7, 1934.  
[H.R. 2026.]

[Private, No. 104.]

George Jeffcoat.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

AN ACT

For the relief of George Jeffcoat.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government of the United States, the sum of \$5,000 to George Jeffcoat, husband of Mary Alma Jeffcoat, on account of the death of the said Mary Alma Jeffcoat, who was killed by one S. S. Sligh, Junior (a Federal officer known as a Federal prohibition officer, in Government service, while on duty), on December 21, 1931, while driving an automobile on a public street in the town of New Brookland, Lexington County, South Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 7, 1934.

## [CHAPTER 235.]

## AN ACT

For the relief of Captain J. O. Faria.

May 7, 1934.  
[H.R. 2321.]  
[Private, No. 105.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Captain J. O. Faria, on account of injuries sustained by him while employed by the United States Shipping Board as master of the steamship Commack, in the year 1925, in the same manner and to the same extent as if said Captain J. O. Faria had made application for the benefits of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, within the one-year period required by sections 17 and 20 thereof: Provided, That no benefits shall accrue prior to the approval of this Act.*

Approved, May 7, 1934.

Captain J. O. Faria.  
Settlement of claim.

Vol. 39, p. 742.

*Proviso.*  
No prior benefits.

## [CHAPTER 236.]

## AN ACT

For the relief of Robert B. James.

May 7, 1934.  
[H.R. 2541.]  
[Private, No. 106.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Robert B. James, out of any money in the Treasury not otherwise appropriated, the sum of \$7,000, the amount of a fine paid by Robert B. James in pursuance of a judgment entered upon a plea nolo contendere under certain provisions of the so-called Lever Act previous to the time that the Supreme Court of the United States held such provisions void, the said plea and said payment being made under a stipulation as follows: "In consideration that the Attorney General and this court shall accept the plea nolo contendere which I hereby tender to the above-entitled indictment I do hereby waive any and all fines which the court may see fit to impose upon me upon such pleas, except in the event that the so-called Lever Act under which said indictment is found shall be declared unconstitutional by the Supreme Court of the United States and that no prosecution could be sustained upon the facts stated in said indictment: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."*

Approved, May 7, 1934.

Robert B. James.  
Refund of fine.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 237.]

## AN ACT

May 7, 1934.  
[H. R. 2561.]

[Private, No. 107.]

G. Elias and Brother,  
Inc.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

For the relief of G. Elias and Brother, Incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to G. Elias and Brother, Incorporated, out of any money in the Treasury not otherwise appropriated, the sum of \$4,400 in full settlement for losses suffered by said company on account of priority orders and other conditions arising out of the late War with Germany which prevented the delivery of lumber specified under contract with the United States Navy Department numbered 29497 within the time specified, for which contract bid was submitted by said company prior to the entrance of the United States into the late war: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

## [CHAPTER 238.]

## AN ACT

May 7, 1934.  
[H. R. 2689.]

[Private, No. 108.]

Edward Shabel.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

For the relief of Edward Shabel, son of Joseph Shabel.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, from any funds in the Treasury not otherwise appropriated, to Edward Shabel, son of Joseph Shabel, deceased, the sum of \$2,579 in full settlement of all claims against the Government for injuries and damages sustained by Joseph Shabel when struck by a Government automobile on May 7, 1932, said automobile having been driven at the time by Hayden N. Bell, a Federal prohibition agent: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

## [CHAPTER 239.]

## AN ACT

To authorize the Secretary of the Navy to dedicate to the city of Philadelphia, for street purposes, a tract of land situate in the city of Philadelphia and State of Pennsylvania.

May 7, 1934.  
[H. R. 3542.]  
[Private, No. 109.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to dedicate to the city of Philadelphia, for street purposes, all that certain lot or piece of ground situate in the thirtieth ward of the city of Philadelphia and described as follows, to wit: Beginning at a point formed by the intersection of the southerly side of Bainbridge Street, fifty feet wide, and the westerly side of Twenty-fourth Street; thence south seventy-five degrees eighteen minutes fifty-eight seconds east, fifty-three feet and eleven and one-eighth inches to a point, the said point being the intersection of the former southerly line of Bainbridge Street, fifty feet wide, and the northwesterly line of Grays Ferry Road, sixty feet wide; thence south fifty-seven degrees fourteen minutes twenty-seven seconds west, eighty feet and four and one-eighth inches along the said side of Grays Ferry Road to a point in the westerly side of Twenty-fourth Street; thence along the same north fifteen degrees four minutes thirty-two seconds east, fifty-nine feet and two and one-fourth inches to the first-mentioned point and place of beginning, containing thirty-five one-thousandths of an acre of land, more or less.*

Approved, May 7, 1934.

Philadelphia, Pa.  
Certain tract of land  
donated to.

Description.

## [CHAPTER 240.]

## AN ACT

For the relief of O. S. Cordon.

May 7, 1934.  
[H. R. 3579.]  
[Private, No. 110.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to O. S. Cordon, postmaster at Rigby, Idaho, the sum of \$17.37 to reimburse him for the amount of postal funds lost as a result of the failure of the First National Bank, of Rigby, Idaho.*

Approved, May 7, 1934.

O. S. Cordon.  
Reimbursement for  
lost postal funds.

## [CHAPTER 241.]

## AN ACT

For the relief of Paul Bulfinch.

May 7, 1934.  
[H. R. 3580.]  
[Private, No. 111.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul Bulfinch, postmaster at American Falls, Idaho, the sum of \$158.54 in full settlement of all claims against the Government of the United States to reimburse him for the amount of postal funds lost by him as a result of the failure of the First National Bank, of American Falls, Idaho, on February 8, 1923: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive*

Paul Bulfinch.  
Reimbursement for  
lost postal funds.

Proviso.  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 7, 1934.

**[CHAPTER 242.]**

May 7, 1934.  
[H.R. 3611.]

[Private, No. 112.]

Frances E. Eller.  
Payment to, for damages.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frances E. Eller the sum of \$422.50. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from an accident involving a United States mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 7, 1934.

**[CHAPTER 243.]**

May 7, 1934.  
[H.R. 3851.]

[Private, No. 113.]

Henry A. Richmond.  
Compensation for loss on forfeited bond.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry A. Richmond the sum of \$500 in compensation for bond forfeited for John A. Golding, now within the jurisdiction of the Federal authorities: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 7, 1934.

## [CHAPTER 244.]

## AN ACT

For the relief of Grace P. Stark.

May 7, 1934.  
[H.R. 3952.]

[Private, No. 114.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to credit the accounts of Grace P. Stark, postmaster at Marked Tree, Arkansas, in the sum of \$161.58. Such sum represents the amount of a deficit in the accounts of the said Grace P. Stark, caused by the loss of postal funds deposited in the First National Bank of Marked Tree, Arkansas, which failed November 15, 1926.*

Approved, May 7, 1934.

Grace P. Stark.  
Credit in postal ac-  
counts.

## [CHAPTER 245.]

## AN ACT

To provide an additional appropriation as the result of a reinvestigation, pursuant to the Act of February 2, 1929 (45 Stat., p. 2047, pt. 2), for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, New Jersey, July 10, 1926.

May 7, 1934.  
[H.R. 4013.]

[Private, No. 115.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$17,691.58 in full settlement of all claims against the Government of the United States be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to make payment of claims for property damage, death, or personal injury due to the explosions at the naval ammunition depot, Lake Denmark, New Jersey, July 10, 1926, to the respective persons and in the respective amounts as recommended by the Comptroller General of the United States and as fully set forth in House Document Numbered 257, Seventy-second Congress, first session, and letters of the Comptroller General to the Congress, dated January 14 and February 10, 1933, pursuant to the Act of March 2, 1927 (44 Stat., pt. 3, p. 1800), and the Act of February 2, 1929 (45 Stat., pt. 2, p. 2047): Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

Lake Denmark, N.J.,  
naval ammunition de-  
pot.  
Payment authorized  
of additional claims for  
damages caused by ex-  
plosions at.Vol. 44, p. 1800; Vol.  
45, p. 2047.Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 246.]

## AN ACT

For the relief of Edward J. Devine.

May 7, 1934.  
[H.R. 4269.]

[Private, No. 116.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to pay, out of the appropriation "Medical and hospital services", to Edward J. Devine the sum of \$65.50. The payment of such sum shall be in full settlement of all claims against the United States for undertaking services performed by Edward J. Devine in connection with the burial of Patrick J. Murtagh.*

Approved, May 7, 1934.

Edward J. Devine.  
Payment to, for mor-  
tuary services.

## [CHAPTER 247.]

## AN ACT

For the relief of C. W. Mooney.

May 7, 1934.  
[H.R. 4619.]

[Private, No. 117.]

C. W. Mooney.  
Reimbursement for  
lost postal funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of \$161.71, to compensate C. W. Mooney, of Lenapah, Oklahoma, for actual financial loss sustained by him, without negligence on his part, through refund already made to the Post Office Department wherein postal funds for which he was responsible as postmaster of Lenapah, Oklahoma, were on deposit in the First National Bank of Lenapah, Oklahoma, where said bank failed under date of November 19, 1923, and was liquidated, none of said sum being repaid from the assets of said bank.*

Approved, May 7, 1934.

## [CHAPTER 248.]

## AN ACT

For the relief of Barney Rieke.

May 7, 1934.  
[H.R. 4611.]

[Private, No. 118.]

Barney Rieke.  
Payment to, for loss  
of yacht.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,750 to Barney Rieke, because of the destruction of his yacht Barney Google by the United States Coast Guard: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

## [CHAPTER 249.]

## AN ACT

For the relief of the estate of Oscar F. Lackey.

May 7, 1934.  
[H.R. 4779.]

[Private, No. 119.]

Oscar F. Lackey, es-  
tate.  
Adjustment of claim  
authorized.Proviso.  
Deemed full settle-  
ment.

Vol. 37, p. 1372.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and is hereby, authorized to adjust and settle the claim of Mary Lackey Combs, of Riderwood, Maryland, as executrix of the estate of Oscar F. Lackey, deceased, for \$1,500: Provided, That such payment to Mary Lackey Combs, as executrix, shall be in full satisfaction of all claims against the United States of the estate of said Oscar F. Lackey, for such injury received by him and to allow said claim under the appropriation made by the Act of February 18, 1913 (37 Stat. 1372), for payment to the deceased for injuries received on November 21, 1905, while in the employ of the Isthmian Canal Commission as assistant engineer*

in the construction of the Panama Canal, he having died without receiving such amount: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Limitation on attorney's, etc., fees.*

Approved, May 7, 1934.

*Penalty for violation.*

[CHAPTER 250.]

AN ACT

To reimburse Gottleib Stock for losses of real and personal property by fire caused by the negligence of two prohibition agents.

May 7, 1934.  
[H.R. 4784.]

[Private, No. 120.]

*Gottleib Stock.  
Reimbursement for  
property losses.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, the sum of \$3,000 to Gottleib Stock, as compensation for the total destruction of his home and personal property therein and trees and vines on the premises and other property during a fire set by the negligence of two prohibition agents in the employ of the Federal Bureau of Prohibition: *Provided*, That no part of the amount appropriated in this Act, in excess of 10 per centum thereof, shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.  
Limitation on attorney's, etc., fees.*

Approved, May 7, 1934.

*Penalty for violation.*

[CHAPTER 251.]

AN ACT

To authorize and direct the Comptroller General to settle and allow the claim of Harden F. Taylor for services rendered to the Bureau of Fisheries.

May 7, 1934.  
[H.R. 4792.]

[Private, No. 121.]

*Harden F. Taylor.  
Claim for services,  
allowed.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and allow the claim of Harden F. Taylor in the sum of \$500 for services rendered to the Bureau of Fisheries in the preparation of a manuscript on the refrigeration of fish, notwithstanding provisions of existing law.

Approved, May 7, 1934.

## [CHAPTER 252.]

May 7, 1934.  
[H.R. 4846.]

[Private, No. 122.]

Joseph Dumas.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of Joseph Dumas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$1,500 to Joseph Dumas, of Waterville, Maine, in full payment and settlement for all claims against the United States for injuries received by said Dumas on September 9, 1927, at said Waterville, through the negligence of an employee in the United States Railway Mail Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 7, 1934.

## [CHAPTER 253.]

## AN ACT

For the relief of Mary Josephine Lobert.

May 7, 1934.  
[H.R. 4959.]

[Private, No. 123.]

M. J. Lobert.  
Refund of forfeited  
bond and court  
costs to widow of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Josephine Lobert, widow of M. J. Lobert, the sum of \$1,632.68, in full settlement of all claims against the Government of the United States representing judgment in the amount of \$1,632.68, secured to the United States for the United States District Court of the Western District of Texas against M. J. Lobert, on account of bond of \$1,500, for the appearance of Johnnie (Jack) Wander (Wunder), charged with a violation of the Motor Vehicle Theft Act, which bond was forfeited by reason of the failure of the said defendant to appear, and \$132.68 being court costs, paid into court on December 31, 1929, and deposited by the United States marshal for the western district of Texas, and covered into the Treasury of the United States on January 9, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 7, 1934.

## [CHAPTER 254.]

## AN ACT

For the relief of Gale A. Lee.

May 7, 1934.  
[H.R. 5936.]

[Private, No. 124.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the account of Gale A. Lee, postmaster at Pueblo, Colorado, with the sum of \$861.02, being the amount of payments made by such postmaster during the period August 16, 1930, to October 31, 1932, as compensation at 65 cents per hour to Helen G. Engle, of Pueblo, Colorado, for services as a substitute postal clerk qualified as a stenographer, which amount was disallowed in his account because the employee was during the same period a clerical assistant at \$1,500 per annum in the office of the deputy clerk of the United States district court at Pueblo, Colorado.*

Approved, May 7, 1934.

Gale A. Lee.  
Credit in postal ac-  
counts.

## [CHAPTER 255.]

## AN ACT

For the relief of Lucien M. Grant.

May 7, 1934.  
[H.R. 6386.]

[Private, No. 125.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucien M. Grant, lieutenant commander, Construction Corps, United States Navy, the sum of \$184.02 for actual and necessary expenses incurred by him in transportation of his dependents and personal effects from Philadelphia, Pennsylvania, to Pensacola, Florida, and return, while carrying out orders of the Navy Department.*

Approved, May 7, 1934.

Lucien M. Grant.  
Reimbursement for  
expenses.

## [CHAPTER 256.]

## AN ACT

For the relief of the Monumental Stevedore Company.

May 7, 1934.  
[H.R. 6638.]

[Private, No. 126.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, the sum of \$677.75 to Monumental Stevedore Company, of Baltimore, Maryland, a corporation organized and existing under the laws of the State of Maryland, owner of lighter numbered 1, on account of damages caused to said lighter by collision therewith of the United States Coast Guard cutter Winnesimmet in the Patapsco River on the 17th day of September 1923: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

Monumental Steve-  
dore Company.  
Payment to, for colli-  
sion damages to lighter.Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 257.]

## AN ACT

May 7, 1934.  
[H.R. 6890.]

[Private, No. 127.]

Dental Corps, Navy.  
Status of certain offi-  
cers of, defined.  
Vol. 41, p. 834.

Proviso.  
Assignment.

No back pay, etc.

For the relief of certain officers of the Dental Corps of the United States Navy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all commissioned officers now on active duty in the Dental Corps of the United States Navy who, while heretofore on active duty as reserve or temporary commissioned officers, had qualified for appointment to the Dental Corps of the United States Navy pursuant to an examination held at the United States Naval Medical School, Washington, District of Columbia, in January 1920, and who since that date have continuously served on active duty, shall hereafter be entitled to a position on the precedence list in accordance with that attained in said examination: Provided, That such officers of the Dental Corps shall be assigned running mates for promotion purposes in accordance with their precedence as so determined: And provided further, That no back pay or allowances shall accrue to any officer by reason of the passage of this Act.*

Approved, May 7, 1934.

## [CHAPTER 258.]

## AN ACT

For the relief of Martha Edwards.

May 7, 1934.  
[H.R. 6862.]

[Private, No. 128.]

Martha Edwards.  
Payment to, for per-  
sonal injuries.

For medical care.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal guardian of Martha Edwards, of East Camp, Norfolk, Virginia, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 in full settlement of all claims against the Government of the United States for permanent injuries sustained by her as a result of being struck by a United States naval airplane on the premises of her father at East Camp, Norfolk, Virginia, on October 30, 1929; and in addition, pay to the Norfolk Protestant Hospital the sum of \$177, and to Doctor Julian L. Rawls the sum of \$150, due them for care and attention to her as a result of said injury: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 7, 1934.

## [CHAPTER 259.]

## AN ACT

For the relief of Elbert L. Grove.

May 7, 1934.  
[H.R. 909.]

[Private, No. 129.]

Elbert L. Grove.  
Naval record cor-  
rected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors Elbert L. Grove, late of United States Navy, shall hereafter be held and considered to have been honorably*

discharged from the naval service of the United States as a member of that organization on the 31st day of March 1901: *Provided*, That no bounty, back pay, pension, or allowance shall accrue by virtue of the passage of this Act.

Approved, May 7, 1934.

*Proviso.*  
No back pay, etc.

[CHAPTER 260.]

AN ACT  
For the relief of John C. McCann.

May 7, 1934.  
[H.R. 1404.]

[Private, No. 130.]

John C. McCann.  
Naval record cor-  
rected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy is authorized and directed to correct the service record of John C. McCann, formerly of the United States Ship California, so that he shall be held and considered to have been honorably discharged on August 26, 1908, and to grant to such John C. McCann an honorable discharge as of such date: *Provided*, That no pension, pay, or bounty shall be held to have accrued by reason of the enactment of this Act.

Approved, May 7, 1934.

*Proviso.*  
No prior pension,  
etc.

[CHAPTER 261.]

AN ACT  
For the relief of Harvey Collins.

May 7, 1934.  
[H.R. 2074.]

[Private, No. 131.]

Harvey Collins.  
Naval record cor-  
rected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Harvey Collins, late of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a member of that organization on the 20th day of September 1901: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, May 7, 1934.

*Proviso.*  
No back pay, etc.

[CHAPTER 262.]

JOINT RESOLUTION

Granting compensation to George Charles Walther.

May 7, 1934.  
[H.J.Res. 61.]

[Priv. Res., No. 1.]

George Charles Wal-  
ther.  
Preamble.

Whereas George Charles Walther was shot near Underwood, Washington, on or about September 1, 1923, by a United States prohibition enforcement officer pursuing the owner of a still located in the vicinity; and

Whereas as a result of such shooting, occurring in line of duty, the said George Charles Walther has been permanently paralyzed and rendered a hopeless cripple and a bedridden invalid for life; and

Whereas the said George Charles Walther was removed by the Government from Underwood, Washington, to a hospital in Portland, Oregon, and there left by United States Government officials without provision having been made for his care; and

Whereas the said George Charles Walther is without means or ability to care for himself: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, the sum of \$100 a month to George Charles Walther, during his lifetime, as full compensation for total and permanent disability resulting from a gunshot wound

Monthly disability  
payments to.

inflicted upon him in 1923 by a Federal prohibition enforcement officer. Such payment shall be made through the United States Employees' Compensation Commission and shall date from the approval of this Act.

Approved, May 7, 1934.

[CHAPTER 266.]

May 9, 1934.  
[H.R. 4423.]  
[Private, No. 132.]

Wilbur Rogers.  
Army service record  
corrected.

Retired for disability  
in service.

R.S., sec. 1251, p. 218.  
*Proviso.*  
No prior pension,  
etc.  
U.S.C., pp. 1214, 1229.

AN ACT

For the relief of Wilbur Rogers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, or benefits upon retired officers of the United States Army Wilbur Rogers, major, United States Army, shall be held and considered, notwithstanding any other provision of law, to have been classified in class A and to have been retired under section 1251 of the Revised Statutes for incapacity which was a result of an accident of service: Provided, That no bounty, back pay, pension, allowance, or any payment provided under the World War Veterans' Act, 1924, as amended, the World War Adjusted Compensation Act, 1924, as amended, or other benefit whatsoever to which said person may be or become entitled by law, shall be held to have accrued prior to the passage of this Act.*

Approved, May 9, 1934.

[CHAPTER 267.]

May 9, 1934.  
[H.R. 472.]  
[Private, No. 133.]

Phyllis and Harold  
Louis Pratt.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

AN ACT

For the relief of Phyllis Pratt and Harold Louis Pratt, a minor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Phyllis Pratt in her own right and as legal guardian of Harold Louis Pratt, a minor, the sum of \$5,000 in full settlement of all claims against the Government of the United States as reimbursement to them for the loss suffered by them in the death of their husband and father, Louis Daniel Pratt, whose death occurred on April 21, 1929, without fault on his part or on their part, through the collision of a trimotored Ford airplane belonging to the Maddux Air Lines, Incorporated, of Los Angeles, California, bearing factory number 5-AT-10, license number NC 9636, near San Diego, California, with an airplane belonging to the War Department of the United States, which was then and there operated in a wrongful and negligent manner by Lieutenant Howard Keefer, a United States pilot, then and there flying under orders and in line of duty: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 9, 1934.

## [CHAPTER 268.]

AN ACT  
For the relief of Willard B. Hall.May 9, 1934.  
[H.R. 719.]  
[Private, No. 134.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Willard B. Hall, out of any money in the Treasury not otherwise appropriated, the sum of \$75, being the value of a horn used by the claimant during his service with the First Kansas Infantry band, the One Hundred and Thirty-seventh Infantry band, and the One Hundred and Tenth Engineers' band from July 31, 1917, to May 3, 1919.*

Approved, May 9, 1934.

Willard B. Hall.  
Payment to.

## [CHAPTER 269.]

AN ACT  
For the relief of O. H. Chrisp.May 9, 1934.  
[H.R. 1127.]  
[Private, No. 135.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to O. H. Chrisp, of Bald Knob, Arkansas, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the Government of the United States in full payment of all damages for personal injuries received by him while in the employ of the Director General of Railroads on January 17, 1919, at Crawfordsville, Arkansas, on account of the negligence of the said Director General of Railroads: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 9, 1934.

O. H. Chrisp.  
Payment to, for personal injuries.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 270.]

AN ACT  
For the relief of Karim Joseph Mery.May 9, 1934.  
[H.R. 2339.]  
[Private, No. 136.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to Karim Joseph Mery, of San Antonio, Texas, out of any money not otherwise appropriated, the sum of \$5,000 as compensation for the death of his son, Joseph Karim Mery, a minor, who was killed at San Antonio, Texas, on July 10, 1923, by the negligent driving of a United States Army truck: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the*

Karim Joseph Mery.  
Compensation to, for death of son.Proviso.  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 9, 1934.

**[CHAPTER 271.]****AN ACT****May 9, 1934.****[H.R. 2340.]****[Private, No. 137.]**

For the relief of Russell and Tucker and certain other citizens of the States of Texas, Oklahoma, and Kansas.

**Russell and Tucker.**  
May bring suit in  
district court for loss  
of certain cattle.

**Statutes of limita-**  
**tions waived.**

**Jurisdiction of court.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Russell and Tucker, a copartnership composed of Lee L. Russell and S. C. Tucker; Floyd and Company, a copartnership composed of C. W. Floyd and S. C. Tucker; Borroum, Tucker, and O'Connor, a copartnership composed of J. L. Borroum, S. C. Tucker, and Martin O'Connor; Rutledge, Browne, and Nichols, a copartnership composed of W. J. Rutledge, N. H. Browne, and J. W. Nichols; Russell and Wilson, a copartnership composed of R. R. Russell and W. E. Wilson; Rocky Reagan, Alfred A. Drummond, J. M. Dobie, and Dick Colson, their heirs, legal representatives, executors, administrators, and assigns, any statutes of limitations being waived, are hereby authorized to enter suit in the United States District Court for the Northern District of Texas for the amount alleged to be due to said claimants from the United States by reason of the alleged neglect and alleged wrongdoing of the officials and inspectors of the United States Bureau of Animal Industry in the dipping of tick-infested cattle in Texas and Oklahoma, which said cattle were shipped from Texas to Osage County, Oklahoma, in the years 1918 and 1922.*

**SEC. 2.** Jurisdiction is hereby conferred upon said United States District Court for the Northern District of Texas to hear and determine all such claims without intervention of a jury. The action in said court may be presented by a single petition making the United States party defendant, and shall set forth all the facts on which the claimants base their claims, and the petition may be verified by the agent or attorney of said claimants, official letters, reports, and public records, or certified copies thereof may be used as evidence, and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to the said claimants by reason of the alleged negligence and erroneous certification, upon the same principles and under the same measure of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimants and the United States of America shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and upon such notice it shall be the duty of the Attorney General to cause the United States Attorney in such district to appear and defend for the United States: *And provided further*, That such suit shall be begun within six months of the date of the approval of this Act.

**Proviso.**  
Notice, etc., to At-  
torney General.

**Commencement of suit.**

Approved, May 9, 1934.

## [CHAPTER 272.]

**AN ACT**  
For the relief of Bonnie S. Baker.

May 9, 1934.  
[H.R. 2682.]  
[Private, No. 138.]

Bonnie S. Baker.  
Credit in postal ac-  
counts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$100.29 to Bonnie S. Baker, former postmaster at Gore, Georgia, to reimburse her for currency and coin in that amount stolen from said post office by burglary on November 18, 1930, which said loss was sustained without negligence on the part of said postmaster and was by her repaid to the Government from her private funds.*

Approved, May 9, 1934.

## [CHAPTER 273.]

**AN ACT**  
For the relief of Walter E. Switzer.

May 9, 1934.  
[H.R. 3463.]  
[Private, No. 139.]

Walter E. Switzer.  
Compensation for  
personal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in full settlement against the Government, to Walter E. Switzer the sum of \$2,000 in compensation for injuries caused by a post-office truck, resulting in the amputation of his left leg: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 9, 1934.

Penalty for violation.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

## [CHAPTER 274.]

**AN ACT**  
For the relief of T. J. Morrison.

May 9, 1934.  
[H.R. 3551.]  
[Private, No. 140.]

T. J. Morrison.  
Payment to, for wa-  
ter service to post of-  
fice.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. J. Morrison, of Elizabethtown, Kentucky, the sum of \$195.41 in full settlement of all claims against the Government of the United States, for water actually supplied to the post office at Ravenna, Kentucky, during the period of nine years and five months from November 27, 1922, until April 27, 1932: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10*

Proviso.  
Limitation on attor-  
ney's, etc., fees.

**Penalty for violation.**

per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 9, 1934.

**[CHAPTER 275.]****AN ACT**

May 9, 1934.  
[H.R. 4847.]

[Private, No. 141.]

Galen E. Lichty.  
Reimbursement for  
stolen postal funds.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$554.70 in full settlement of all claims against the Government of the United States, to Galen E. Lichty, stamp clerk of the post office at Beatrice, Gage County, Nebraska, to reimburse him for funds stolen from the Beatrice post office by unknown persons on the day of November 17, 1928: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 9, 1934.

**[CHAPTER 276.]****AN ACT**

May 9, 1934.  
[H.R. 7279.]

[Private, No. 142.]

Porter Brothers and  
Biffle.  
May bring suit in  
district court for loss  
of certain cattle.

Statutes of limitations waived.

**Jurisdiction of court.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Porter Brothers and Biffle, a copartnership composed of H. L. Porter, L. A. Porter, and J. W. Biffle; Spradling and Porter Brothers, a copartnership composed of Royal Spradling, H. L. Porter, and L. A. Porter; Henry Price, Royal Spradling, J. L. Keith, W. T. Brummett; Price and Florence, a copartnership composed of Henry Price and Buster Florence; J. B. O'Harro and estate of G. J. Keith, their heirs, legal representatives, executors, administrators, and assigns, and statutes of limitations being waived, are hereby authorized to enter suit in the United States District Court for the Northern District of Texas for the amount alleged to be due to said claimants from the United States by reason of the alleged neglect of the inspectors of the Bureau of Animal Industry, United States Department of Agriculture, in certifying as clean of splenetic fever ticks, cattle shipped from Texas to Oklahoma in the year 1919.

SEC. 2. Jurisdiction is hereby conferred upon said United States District Court for the Northern District of Texas to hear and determine all such claims without the intervention of a jury. The action in said court may be presented by a single petition making the United States party defendant, and shall set forth all the facts upon which the claimants base their claims, and the petition may be verified by the agent or attorney of said claimants, official letters, reports, and

public records, or certified copies thereof, may be used as evidence, and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to the said claimants by reason of the alleged negligence and erroneous certification, upon the same principles and under the same measures of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimants and the United States of America shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within six months of the date of the approval of this Act.

Approved, May 9, 1934.

*Proviso.*  
Notice, etc., to Attorney General.

Commencement of  
suit.

[CHAPTER 287.]

AN ACT

Authorizing the Secretary of the Treasury to pay subcontractors for material and labor furnished in the construction of the post office at Las Vegas, Nevada.

May 14, 1934.  
[H.R. 3900.]  
[Private, No. 143.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to subcontractors, labor, and material men who furnish labor and material to the Plains Construction Company, defaulted general contractor for the construction of the post office at Las Vegas, Nevada, such sums as he may consider equitable and just to reimburse said subcontractors, labor, and material men for unpaid accounts left by said Plains Construction Company at the time of its default, said sums to be paid only upon proper proof of actual losses sustained exclusive of profit; and there is hereby made available for this purpose not to exceed \$20,000 from any sum which may remain from the lump-sum appropriations made for building-construction purposes, notwithstanding the amount of the claims of said subcontractors in addition to the cost of completing the building exceed the limit of the cost for the construction of the Las Vegas Post Office.

Las Vegas, Nev.,  
post office.  
Payment of certain  
claims for material and  
labor, in construction  
of.

Fund available.

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Goldsmith Metal Lath Company the sum of \$892.73, to Price-Evans Foundry Corporation the sum of \$1,790.10, and to R. W. Felix the sum of \$27.81, in full settlement of all claims against the Government of the United States for losses suffered by the said companies by reason of the default of the Plains Construction Company, general contractors for the construction of the post office at Las Vegas, Nevada, and the contractor's failure to furnish the valid bond as required by law for the protection of labor and material men furnishing labor and material on public works: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services

Goldsmith Metal  
Lath Company.

Price-Evans Foundry Corporation.  
R. W. Felix.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.** rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 14, 1934.

[CHAPTER 288.]

May 14, 1934.  
[H.R. 5299.]

[Private, No. 144.]

Orville A. Murphy.  
Claim of.

Vol. 39, p. 746.

**Proviso.**  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Orville A. Murphy, on account of disability due to tuberculosis alleged to have been proximately caused by his employment in the service of the United States between April 6, 1920, and December 1, 1932: Provided, That no benefits shall accrue prior to the enactment of this Act.*

Approved, May 14, 1934.

[CHAPTER 291.]

May 16, 1934.  
[H.R. 4060.]

[Private, No. 145.]

Ellen Grant.  
Payment to, for bur-  
ial expenses of son.

**Proviso.**  
Limitation on attor-  
ney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ellen Grant, mother of Albert F. Grant, late boatswain's mate, second class, United States Navy, who died June 8, 1931, while a member of that organization, the sum of \$200, in full settlement of all claims against the Government of the United States, being the actual expenses incurred in the burial of said Albert F. Grant: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 16, 1934.

[CHAPTER 294.]

May 17, 1934.  
[H.R. 190.]

[Private, No. 146.]

Elizabeth T. Cloud.  
Payment to, for per-  
sonal injury.

AN ACT

For the relief of Elizabeth T. Cloud.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth T. Cloud, of Atlantic City, New Jersey, the sum*

of \$596.97 on account of personal injury sustained by her on October 17, 1916, by falling on the steps of the Atlantic City post-office building: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 17, 1934.

[CHAPTER 295.]

AN ACT  
For the relief of Nellie Reay.

May 17, 1934.  
[H.R. 1209.]  
[Private, No. 147.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Nellie Reay, out of any money in the Treasury not otherwise appropriated, the sum of \$12.95, in full and final settlement of all claims against the Government for work performed as a charwoman in the custodian service of the Post office and courthouse at Trenton, New Jersey, from November 1 to November 7, 1929.*

Nellie Reay.  
Payment to, for personal services.

Approved, May 17, 1934.

[CHAPTER 296.]

AN ACT  
For the relief of Scott C. White.

May 17, 1934.  
[H.R. 2750.]  
[Private, No. 148.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, directed to allow Scott C. White, United States marshal, western district of Texas, credit in the amount of \$146.03, being the amount advanced by the said marshal to E. G. Doty, a deputy marshal, covering expense incurred by the said Doty in attempting to serve certain process placed in his hands for service.*

Scott C. White.  
Credit allowed for expense incurred.

Approved, May 17, 1934.

[CHAPTER 297.]

AN ACT  
For the relief of C. J. Holliday.

May 17, 1934.  
[H.R. 4927.]  
[Private, No. 149.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to C. J. Holliday, of Pelzer, South Carolina, in full settlement of all claims against the Government of the United States, which sum represents the loss sustained by the said C. J. Holliday on bail bond of Reuben G. Johnson, who afterwards was captured and returned to the United States officers by the said C. J. Holliday, record of said estreatment of bond being shown in the*

C. J. Holliday.  
Reimbursement for loss on bail bond.

*Proviso.  
Limitation on attorney's, etc., fees.*

*Penalty for violation.*

order of Honorable H. H. Watkins, United States district judge, at Greenville, South Carolina, February 7, 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 17, 1934.

[CHAPTER 298.]

AN ACT

For the relief of J. B. Trotter.

May 17, 1934.  
[H. R. 4929.]

[Private, No. 150.]

J. B. Trotter.  
Reimbursement for  
loss on bail bond.

*Proviso.  
Limitation on attorney's, etc., fees.*

*Penalty for violation.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to J. B. Trotter, of Pelzer, South Carolina, in full settlement of all claims against the Government of the United States, which sum represents the loss sustained by the said J. B. Trotter on the bail bond of Reuben G. Johnson, who afterward was captured and returned to the United States officers by the said J. B. Trotter, record of said estreatment of bond being shown in order of Honorable H. H. Watkins, United States district judge, of Greenville, South Carolina, February 7, 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 17, 1934.

[CHAPTER 308.]

AN ACT

May 18, 1934.  
[S. 696.]

[Private, No. 151.]

Frank W. Mahin.  
May accept decoration from the Netherlands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Frank W. Mahin, retired American Foreign Service officer, be, and he is hereby authorized to accept from Her Majesty the Queen of the Netherlands the brevet and insignia of officer of the Royal Netherland Order of Orange Nassau, which has been tendered to said officer, through the Department of State, in appreciation of services rendered the people of Holland.

Approved, May 18, 1934.

## [CHAPTER 309.]

## AN ACT

For the relief of Jacob Durrenberger.

May 18, 1934.

[H.R. 200.]

[Private, No. 152.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Jacob Durrenberger, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 in full settlement of all claims against the Government of the United States for personal injuries caused as a result of an accident involving an Army vehicle at Jamaica, Long Island, New York, on September 16, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 18, 1934.

Jacob Durrenberger.  
Payment to, for per-  
sonal injuries.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 310.]

## AN ACT

For the relief of Robert Turner.

May 18, 1934.

[H.R. 1207.]

[Private, No. 153.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert Turner, of the city of Burlington, New Jersey, the sum of \$1,500 in full settlement of all claims against the Government of the United States for all injuries sustained by him on Friday, October 28, 1921, when an automobile in which he was riding was in collision with an automobile of the United States Army, the said automobile being one of a fleet of motor cars traveling toward the city of Philadelphia, in charge of Captain Hatfield, of Camp Holabird, Maryland: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 18, 1934.

Robert Turner.  
Payment to, for per-  
sonal injuries.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 311.]

May 18, 1934.  
[H.R. 1208.]

[Private, No. 154.]

Frederick W. Peter.  
Payment to, for personal injuries.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of Frederick W. Peter.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frederick W. Peter, of the city of Burlington, New Jersey, the sum of \$1,000 in full settlement of all claims against the Government of the United States for all injuries sustained by him on Friday, October 28, 1921, when an automobile in which he was riding was in collision with an automobile of the United States Army, the said automobile being one of a fleet of motor cars traveling toward the city of Philadelphia, in charge of Captain Hatfield, of Camp Holabird, Maryland: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, May 18, 1934.

## [CHAPTER 312.]

## AN ACT

To place Jesse C. Harmon on the retired list of the United States Marine Corps.

Marine Corps.  
Jesse C. Harmon  
may be appointed second lieutenant, retired list.

Proviso.  
Retirement subject to disability in line of duty.  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to appoint Jesse C. Harmon, formerly a second lieutenant, United States Marine Corps, a second lieutenant in the Marine Corps, and to place him upon the retired list of the Marine Corps as a second lieutenant, with the retired pay of that grade or upon the active list in the rank and grade entitled: Provided, That before retiring him, a duly constituted Marine retiring board finds that the said Jesse C. Harmon incurred physical disability incident to the service in the line of duty: And provided further, That no back pay, allowance, or emoluments shall become due because of the passage of this Act.*

Approved, May 18, 1934.

## [CHAPTER 313.]

## AN ACT

For the relief of Enoch Graf.

May 18, 1934.  
[H.R. 2203.]

[Private, No. 156.]

Enoch Graf.  
Reimbursement for losses in the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Enoch Graf, first lieutenant, Quartermaster Corps, United States Army, the sum of \$2,644.61. Such sum represents the net loss sustained by Lieutenant*

Graf due to financial irregularities and frauds against the United States by a civilian employee of the Quartermaster Corps at Camp Custer, Michigan, during the period from October 1926 to October 1927, for which Lieutenant Graf was held responsible: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 18, 1934.

[CHAPTER 314.]

AN ACT

For the relief of certain newspapers for advertising services rendered the Public Health Service of the Treasury Department.

May 18, 1934.  
[H.R. 2431.]  
[Private, No. 157.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized, notwithstanding the provisions of section 3828 of the Revised Statutes of the United States, to settle, adjust, and certify the following claims for advertising services rendered the Public Health Service, Treasury Department, namely: The claims of certain Chicago newspapers for advertising services rendered October 3, 1918, amounting in all to \$2,894, under the appropriation " Suppressing Spanish influenza and other communicable diseases, 1919"; the claim of a Houston (Texas) newspaper, \$65.17; and the claim of a New York newspaper, \$30, for advertising services rendered between June and October, 1920, under the appropriations " Pay of personnel and maintenance of hospitals, Public Health Service, 1920", and " Maintenance, marine hospitals, 1921."

Public Health Service, Treasury Department.  
Claims for certain advertising services rendered to, ordered settled.  
R.S., sec. 3828, p. 749.

Approved, May 18, 1934.

[CHAPTER 315.]

AN ACT

For the relief of the Palmetto Cotton Company.

May 18, 1934.  
[H.R. 4926.]  
[Private, No. 158.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$140, which sum represents a part of the remittance to the farmers' seed loan offices of the Department of Agriculture by the Palmetto Cotton Company in payment of a loan of Hollock Tribble to the said farmers' seed loan office, upon which amount a prior lien or mortgage existed.

Palmetto Cotton Company.  
Payment to.

Approved, May 18, 1934.

## [CHAPTER 326.]

May 21, 1934.  
[S. 1541.]

[Private, No. 159.]

Mucia Alger.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mucia Alger, widow of William E. Alger, late American consul at Fernie, British Columbia, the sum of \$2,500, being one year's salary of her deceased husband, who died March 19, 1917, while in the Foreign Consular Service.*

Approved, May 21, 1934.

## [CHAPTER 327.]

May 21, 1934.  
[S. 1997.]

[Private, No. 160.]

Harriet C. Holaday.  
Payment to.  
Ante, p. 1039.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay to Harriet C. Holaday, widow of Ross E. Holaday, late American consul at Manchester, England, the sum of \$6,000, being one year's salary of her deceased husband, who died while in the Foreign Service, and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.*

Approved, May 21, 1934.

## [CHAPTER 328.]

May 21, 1934.  
[H.R. 207.]

[Private, No. 161.]

Homer C. Chapin.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Homer C. Chapin the cash value of a \$500 Liberty bond deposited by him with the Immigration Service of the Department of Labor in the case of Dimitri Ivanenko, which said bond or the proceeds of which was erroneously covered into the Treasury of the United States.*

Approved, May 21, 1934.

## [CHAPTER 329.]

May 21, 1934.  
[H.R. 371.]

[Private, No. 162.]

Peter Guilday.  
Military record corrected.

Proviso.  
No back pay, etc.

AN ACT  
For the relief of Peter Guilday.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Peter Guilday (name borne on the rolls as Peter Gillday and also as Peter Gilday), of Company F, Fifth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on the 11th day of February 1904: Provided, That no back pay, bounty, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, May 21, 1934.

## [CHAPTER 330.]

AN ACT  
For the relief of Frank Ferst.May 21, 1934.  
[H.R. 880.]  
[Private, No. 163.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Frank Ferst, who was a member of Battery B, Fourth Regiment United States Field Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 6th day of November 1905: Provided, That no bounty, pay, pension, or allowance shall accrue because of the passage of this Act.*

Frank Ferst.  
Military record corrected.Proviso.  
No back pay, etc.

Approved, May 21, 1934.

## [CHAPTER 331.]

AN ACT  
For the relief of Arabella E. Bodkin.May 21, 1934.  
[H.R. 3868.]  
[Private, No. 164.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arabella E. Bodkin, or her executors or administrators, the sum of \$28,000 in compliance with the findings of the Court of Claims in the case of Arabella E. Bodkin, sometimes named and referred to as "Mrs. Patrick H. Bodkin", against the United States; such findings having been made pursuant to the Act of March 4, 1927 (ch. 517, 44 Stat.L., pt. III, 1845), entitled "An Act conferring jurisdiction upon the Court of Claims to hear and determine the claim of Mrs. Patrick H. Bodkin." The payment provided for herein shall be in full settlement of all claims and demands arising out of the subject matter referred to in the findings of the Court of Claims.*

Arabella E. Bodkin.  
Payment of Court of  
Claims findings to.

Vol. 44, p. 1845.

Approved, May 21, 1934.

## [CHAPTER 332.]

AN ACT  
For the relief of the Playa de Flor Land and Improvement Company.May 21, 1934.  
[H.R. 5284.]  
[Private, No. 165.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the District Court of the Canal Zone to hear and determine, but subject to the provisions for appeal as in other cases provided by the Panama Canal Act, as amended, the claim of the Playa de Flor Land and Improvement Company against the United States on account of property taken by the United States in the Canal Zone.*

Playa de Flor Land  
and Improvement  
Company.  
Jurisdiction con-  
ferred on Canal Zone  
District Court to adju-  
dicate claim of.

Approved, May 21, 1934.

## [CHAPTER 334.]

AN ACT  
For the relief of G. T. Fleming.May 22, 1934.  
[S. 3364.]  
[Private, No. 166.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to G. T. Fleming, of Pelzer, South Carolina, which sum*

G. T. Fleming.  
Reimbursement for  
loss on bail bond.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

represents the loss sustained by the said G. T. Fleming on the bail bond of Reuben G. Johnson, who was afterwards captured and returned to the United States officers by the said G. T. Fleming; record of said estreatment of bond is shown in order of Honorable H. H. Watkins, United States district judge, at Greenville, South Carolina, May 22, 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 22, 1934.

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[CHAPTER 335.]

AN ACT

For the relief of Irene Brand Alper.

May 22, 1934.  
[H.R. 473.]  
[Private, No. 167.]

Irene Brand Alper.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Irene Brand Alper the sum of \$1,250 in full settlement of all claims against the Government of the United States in full settlement for an injury incurred by her when nineteen years old, when she was seriously injured and crippled for life by being struck down and run over on the 11th day of August 1921 by the United States Navy car numbered 2499, in the city of New York, through the careless and negligent operation of said car by an employee of the United States Government employed at the time to operate said car: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 22, 1934.

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[CHAPTER 336.]

AN ACT

For the relief of Charles A. Brown.

May 22, 1934.  
[H.R. 4274.]  
[Private, No. 168.]

Charles A. Brown.  
Payment to, for personal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles A. Brown the sum of \$3,000, as compensation for injuries sustained on June 22, 1926, at New York City, when an automobile in which he was riding was struck by a truck operated by the

post-office service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 22, 1934.

[CHAPTER 340.]

AN ACT

For the relief of Kathryn Thurston.

May 23, 1934.  
[H.R. 878.]

[Private, No. 160.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Kathryn Thurston, widow of Charles Thurston, the sum of \$2,500 in full settlement of all claims against the United States because of the death of the said Charles Thurston, who was an employee of the United States Railroad Administration and who was killed while in the performance of his duties as such employee on or about February 2, 1920, at Columbus, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Kathryn Thurston.  
Payment to, for  
death of husband.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 23, 1934.

[CHAPTER 341.]

AN ACT

For the relief of H. Forsell.

May 23, 1934.  
[H.R. 1254.]

[Private, No. 170.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Miss H. Forsell, out of any money in the Treasury not otherwise appropriated, the sum of \$196.97 in full settlement against the Government for customs duties paid on two packages of merchandise that were not received by the addressee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection

H. Forsell.  
Refund of customs  
duties.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.** with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 23, 1934.

[CHAPTER 342.]

AN ACT

For the relief of Nicola Valerio.

May 23, 1934.  
[H.R. 5408.]  
[Private, No. 171.]

Nicola Valerio.  
Payment to, for  
death of son.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nicola Valerio, father of Joseph Valerio, deceased, the sum of \$2,500 in full settlement of all claims against the Government of the United States on account of the death of the aforesaid Joseph Valerio, which was caused by his being struck by a post office mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 23, 1934.

[CHAPTER 343.]

AN ACT

For the relief of B. Edward Westwood.

May 23, 1934.  
[H.R. 4516.]  
[Private, No. 172.]

B. Edward Westwood.  
Credit allowed in  
postal accounts of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States is authorized and directed to credit the account of B. Edward Westwood, postmaster at Youngstown, Ohio, in the sum of \$891.17, such sum representing the deficit in the account of the said B. Edward Westwood, caused by burglary to the post office on December 25, 1931, and for which casualty the said B. Edward Westwood was in no way responsible.

Approved, May 23, 1934.

[CHAPTER 346.]

AN ACT

For the relief of John A. Rapelye.

May 24, 1934.  
[H.R. 211.]  
[Private, No. 173.]

John A. Rapelye.  
Reimbursement of,  
for stolen postal funds.

Proviso.  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of John A. Rapelye, postmaster at Flushing, New York, with the sum of \$1,249.08 to reimburse him for money-order and postal funds stolen from the Jackson Heights station of the Flushing post office on the night of March 3, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of

services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

**Penalty for violation.**

Approved, May 24, 1934.

[CHAPTER 352.]

AN ACT

For the relief of the widow of D. W. Tanner for expense of purchasing an artificial limb.

May 25, 1934.  
[H.R. 4533.]  
[Private, No. 174.]

D. W. Tanner.  
Payment to widow  
of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of D. W. Tanner, of Brighton, Massachusetts, retired after thirty years' military service, including service during Indian wars and the World War, the sum of \$125, covering payment for an artificial limb supplied by the Hammer Limb Company, of Boston, Massachusetts.*

Approved, May 25, 1934.

[CHAPTER 358.]

AN ACT

For the relief of E. W. Gillespie.

May 26, 1934.  
[H.R. 328.]  
[Private, No. 175.]

E. W. Gillespie.  
Credit allowed in  
postal accounts of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the account of E. W. Gillespie, former postmaster at Rock River, Wyoming, in the sum of \$94.91, such sum representing the loss in the account of the said E. W. Gillespie caused by the failure of the First National Bank of Rock River, Wyoming, where the post-office funds were deposited by the said E. W. Gillespie.*

Approved, May 26, 1934.

[CHAPTER 359.]

AN ACT

For the relief of C. A. Dickson.

May 26, 1934.  
[H.R. 916.]  
[Private, No. 176.]

C. A. Dickson.  
Credit allowed in  
postal accounts of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the account of C. A. Dickson, postmaster at Cleburne, Texas, in the sum of \$72.45. Such sum represents the amount of United States postal funds lost by reason of the failure of the Home National Bank and the Farmers and Merchants National Bank of Cleburne, Texas, and charged in the account of the said postmaster as a balance due the United States after the payment of final dividends in respect of such deposits.*

Approved, May 26, 1934.

## [CHAPTER 360.]

May 26, 1934.

[H.R. 1107.]

[Private, No. 177.]

**Glenna F. Kelley.**  
Credit allowed in  
postal accounts of.

## AN ACT

For the relief of Glenna F. Kelley.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit the accounts of Glenna F. Kelley, postmaster at Goreville, Illinois, in the sum of \$48.34. Such sum represents the amount of a deficit in the accounts of the said Glenna F. Kelley, caused by the loss by said Glenna F. Kelley of postal funds deposited in the First National Bank of Goreville, Illinois, which failed December 30, 1930.*

Approved, May 26, 1934.

## [CHAPTER 361.]

May 26, 1934.

[H.R. 1211.]

[Private, No. 178.]

**R. Gilbertsen.**  
Credit allowed in  
postal accounts of.

**Proviso.**  
Assignment of claims  
to dividends.

## AN ACT

For the relief of R. Gilbertsen.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of R. Gilbertsen, postmaster at Glenburn, North Dakota, in the sum of \$250.30 due the United States on account of the loss of postal funds resulting from the failure of the Glenburn State Bank at Glenburn, North Dakota: Provided, That the said R. Gilbertsen shall assign to the United States any and all claims he may have to dividends arising from the liquidation of said bank.*

Approved, May 26, 1934.

## [CHAPTER 362.]

May 26, 1934.

[H.R. 1212.]

[Private, No. 179.]

**Marie Toenberg.**  
Credit allowed in  
postal accounts of.

**Proviso.**  
Assignment of claims  
to dividends.

## AN ACT

For the relief of Marie Toenberg.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Marie Toenberg, postmaster at Alexander, North Dakota, in the sum of \$239.89, due the United States on account of the loss of postal funds resulting from the failure of the First National Bank of Alexander, Alexander, North Dakota: Provided, That the said Marie Toenberg shall assign to the United States any and all claims she may have to dividends arising from the liquidation of said bank.*

Approved, May 26, 1934.

## [CHAPTER 366.]

May 28, 1934.

[S. 258.]

[Private, No. 180.]

**Wallace E. Ordway.**  
Payment to.

## AN ACT

For the relief of Wallace E. Ordway.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money not otherwise appropriated, the sum of \$4,000 to Wallace E. Ordway, of Klamath Falls, Oregon, as administrator. Such sum represents compensation to Wallace E. Ordway in his personal right and as administrator for the death of his son, Harry Ordway, who was drowned September 1, 1927, in the United States Irrigation Canal*

at Klamath Falls, Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 28, 1934.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 395.]

AN ACT

For the relief of Annie I. Hissey.

June 5, 1934.  
[H.R. 1158.]

[Private, No. 181.]

Annie I. Hissey.  
Payment to, for  
death of husband.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby appropriated, and the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of \$5,000 to Annie I. Hissey in full for all claims she may have against the Government on account of the death of her husband, William Hissey, who was fatally injured in the city of Washington, District of Columbia, on the 6th day of January 1932, resulting from a driver of a United States Government truck negligently running into and upon William Hissey while he was attempting to cross the street at the intersection of Thirteenth Street, I Street, and Potomac Avenue, southeast: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 5, 1934.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 396.]

AN ACT

For the relief of Philip F. Hamsch.

June 5, 1934.  
[H.R. 1933.]

[Private, No. 182.]

Philip F. Hamsch.  
Credit in accounts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is authorized and directed to credit the account of Philip F. Hamsch, formerly a special disbursing agent of the Bureau of Prohibition, with the sum of \$572.36, such amount representing sums disbursed by him and disallowed by the Comptroller General in certificate of settlement of account numbered K-40891-TI, March 14, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

**Surety relieved of responsibility.**

SEC. 2. The surety on the bond of said Philip F. Hampsch, as such special disbursing agent, is hereby relieved of any liability on account of such disallowance.

Approved, June 5, 1934.

**[CHAPTER 397.]**

June 5, 1934.

[H.R. 1943.]

[Private, No. 183.]

A. H. Powell.  
Credit in accounts.**AN ACT**

For the relief of A. H. Powell.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to credit to A. H. Powell, special disbursing agent, Bureau of Industrial Alcohol, United States Treasury Department, New Orleans, Louisiana, the sum of \$144, under certificate of settlement numbered G-27718-T, dated August 26, 1932, New Orleans industrial alcohol account, symbol numbered 14907, supplemental from October 1, 1931, to April 1, 1932, under bond of March 26, 1928, such credit to become effective immediately after the passage of this Act.*

Approved, June 5, 1934.

**[CHAPTER 398.]**

June 5, 1934.

[H.R. 2322.]

[Private, No. 184.]

C. K. Morris.  
Payment to.**AN ACT**

For the relief of C. K. Morris.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. K. Morris, San Antonio, Texas, the sum of \$1,000. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said C. K. Morris due to personal injuries suffered by his wife and damages caused to his automobile by a collision with a United States Army truck in San Antonio on November 10, 1930.*

Approved, June 5, 1934.

**[CHAPTER 399.]**

June 5, 1934.

[H.R. 2433.]

[Private, No. 185.]

Walter G. Jones.  
Payment of death  
gratuity to foster  
mother of.  
Vol. 41, p. 824; Vol.  
45, p. 710.  
U.S.C., p. 1143.

**AN ACT**

For the relief of Anna H. Jones.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized, notwithstanding the provisions of the Act of June 4, 1920 (41 Stat. 824; 34 U. S. C., 943), to settle, adjust, and certify the claim of Anna H. Jones as a person standing in loco parentis to the late Marine Gunner Walter G. Jones, United States Marine Corps, for the sum of \$1,110 as six months' death gratuity.*

Approved, June 5, 1934.

## [CHAPTER 400.]

## AN ACT

For the relief of James B. Conner.

June 5, 1934.  
[H.R. 3066.]  
[Private, No. 186.]James B. Conner.  
Payment to, for loss  
of eye.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the United States Government, the sum of \$2,500 to James B. Conner for the loss of his eye, sustained while performing his duties assigned to him in the mechanical shop of the Department of Agriculture: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 5, 1934.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 401.]

## AN ACT

For the relief of George B. Beaver.

June 5, 1934.  
[H.R. 3300.]  
[Private, No. 187.]George B. Beaver.  
Credit in postal ac-  
counts authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to credit the account of George B. Beaver, postmaster at McMinnville, Tennessee, with the sum of \$5,944.41, and to certify such credit to the Comptroller General of the United States. Such sum represents the amount paid by such postmaster during the period from September 16, 1927, to April 7, 1931, as compensation to two persons appointed by him as substitute postal clerk and substitute letter carrier, respectively, which amount was disallowed in his account because such persons were not taken from the civil service eligible list.*

Approved, June 5, 1934.

## [CHAPTER 402.]

## AN ACT

For the relief of John Merrill.

June 5, 1934.  
[H.R. 3302.]  
[Private, No. 188.]John Merrill.  
Payment to, for per-  
sonal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$2,500 to John Merrill on account of gunshot wound received in left leg by a shot from a Federal prohibition enforcement officer, in the act of destroying a seized still, on July 19, 1930, in Polk County, Tennessee, said Merrill being a deputy sheriff at the time and on a raid near Ocoee, Polk County, Tennessee: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any*

Proviso.  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 5, 1934.

**[CHAPTER 403.]****AN ACT**

For the relief of H. A. Soderberg.

June 5, 1934.  
[H.R. 7289.]

[Private, No. 169.]

H. A. Soderberg.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to settle and certify for payment to H. A. Soderberg, out of any money in the Treasury not otherwise appropriated, the sum of \$147 in full for services rendered as a defacto United States commissioner at Ogden, Utah, from January 4 to August 19, 1931: Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 5, 1934.

**[CHAPTER 410.]****AN ACT**

For the relief of Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe by removing cloud on title.

June 6, 1934.  
[S. 1632.]

[Private, No. 190.]

Alfred Hohenlohe,  
etc.  
Conveyance by quit-  
claim deed, U.S. title,  
and interest in certain  
lands in District of Co-  
lumbia.

*Proviso.*  
Property to be dis-  
posed of, subject to lia-  
bilities of escheat pro-  
ceedings.

U.S.C., p. 128.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by appropriate quitclaim deed to Alfred Hohenlohe, for life, with remainder to Alexander, Konrad, and Viktor Hohenlohe, their heirs and assigns, all the right, title, and interest of the United States in and to lots 68 and 69 in Abner B. Kelly, trustee's subdivision of part of square 628, as per plat recorded in Liber W.B.M., folio 273, of the records of the office of the surveyor of the District of Columbia. The true intent of this bill is to relinquish and abandon, grant, give, and concede any and all right, interest, and estate, in law or equity, which the United States is, or is supposed to be, entitled to in part of said land by escheat because of the death of Catharine B. Hohenlohe, an Austrian citizen, unto her husband, Alfred Hohenlohe, and her minor children, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe, all Austrian citizens: Provided, however, That said Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe, as such aliens, shall sell or otherwise dispose of said interest within ten years, as provided by the United States Code, title 8, section 73, or such further period as shall be secured to them by any treaty between the United States and the Republic*

of Austria, or be subject to the same liabilities of escheat proceedings on behalf of the United States as are provided by title 8, of the United States Code or as shall hereafter be provided by law, said period of ten years to commence to run from the date on which said quitclaim deed shall have been executed by the Secretary of the Interior pursuant hereto.

Approved, June 6, 1934.

[CHAPTER 411.]

AN ACT

To authorize an appropriation for the reimbursement of Stelio Vassiliadis.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Stelio Vassiliadis the sum of \$406.53, being the equivalent of 790 gold rubles at \$0.5146 to the ruble, for the reimbursement of certain expenditures made by him as vice consul of Spain at Kiev, Russia, in representing the interests of the United States at that post from March 1, 1918, to the end of February 1920.

Approved, June 6, 1934.

June 6, 1934.  
[S. 2748.]

[Private, No. 191.]

Stelio Vassiliadis.  
Reimbursement of.  
*Ante*, p. 1039.

[CHAPTER 412.]

AN ACT

For the relief of Nephew K. Clark.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow to Nephew K. Clark, United States commissioner for the southern district of Georgia, Savannah division, the fees earned by him from March 29, 1933, to July 3, 1933, both dates inclusive, in performing the duties incident to the office of commissioner. The commission of the said Nephew K. Clark as United States commissioner expired on March 28, 1933, and, through inadvertence, he was not reappointed until July 4, 1933.

Approved, June 6, 1934.

June 6, 1934.  
[S. 2798.]

[Private, No. 192.]

Nephew K. Clark.  
Fees as commissioner  
allowed.

[CHAPTER 413.]

AN ACT

To pay certain fees to Maude G. Nicholson, widow of George A. Nicholson, late a United States commissioner.

June 6, 1934.  
[S. 3128.]

[Private, No. 193.]

George A. Nicholson.  
Payment to widow  
of, for fees earned as  
commissioner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maude G. Nicholson, widow of George A. Nicholson, late a United States commissioner in the western district of New York, at Canandaigua, New York, the sum of \$183.45 in full settlement of all claims against the Government of the United States for fees earned by said George A. Nicholson, notwithstanding his failure to file a statutory oath in accordance with the provisions of volume 44, United States Statutes, page 918, approved December 11, 1926, and volume 44, United States Statutes, page 1346, approved March 2, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of

Filing statutory oath,  
waived.

Vol. 44, pp. 918, 1346.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 6, 1934.

**[CHAPTER 414.]****AN ACT**

For the relief of R. A. Hunsinger.

June 6, 1934.  
[H.R. 1977.]

[Private, No. 194.]

R. A. Hunsinger.  
Reimbursement of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. A. Hunsinger the sum of \$300, being the amount paid by him into the estate of Frank J. Artz, deceased, late of Troop I, Third Regiment Ohio Volunteer Cavalry, Civil War, by order of the probate court of Sandusky County, Ohio.*

Approved, June 6, 1934.

**[CHAPTER 415.]****AN ACT**

For the relief of Ruby F. Voiles.

June 6, 1934.  
[H.R. 2438.]

[Private, No. 195.]

Ruby F. Voiles.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$75 in full settlement of all claims against the Government of the United States to Ruby F. Voiles, which represents the amount of a reward she should have received for furnishing information leading to the apprehension of the criminals who held up and robbed a mail truck at the Dearborn Street station, Chicago, Illinois, on April 6, 1921: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 6, 1934.

**[CHAPTER 416.]****AN ACT**

For the relief of Eula K. Lee.

June 6, 1934.  
[H.R. 4690.]

[Private, No. 196.]

Eula K. Lee.  
Payment to, for personal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Eula K. Lee, out of any money in the Treasury not otherwise appropriated, the sum of \$838.75 for reimbursement of expenses on*

account of personal injuries sustained by her as a result of slipping and falling on the steps of post-office building at Lima, Ohio, on February 9, 1929, in full settlement for injuries sustained and expenses incurred therefrom: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 6, 1934.

[CHAPTER 417.]

AN ACT

To authorize the award of a decoration for distinguished service to Harry H. Horton.

June 6, 1934.  
[S. 308.]

[Private, No. 197.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is hereby authorized to cause the recommendation for the award of a decoration to Harry H. Horton, formerly private, first class, Medical Detachment, One Hundred and Forty-eighth Regiment Field Artillery, American Expeditionary Forces, for distinguished conduct in the vicinity of Malancourt, near Montfaucon, France, on or about October 12, 1918, to be considered by the proper boards or authorities, and such award made to said Horton as his said conduct merits.

Harry H. Horton.  
Distinguished serv-  
ice decoration awarded  
to.

Approved, June 6, 1934.

[CHAPTER 418.]

AN ACT

For the relief of E. Walter Edwards.

June 6, 1934.  
[S. 1073.]

[Private, No. 198.]

E. W. Edwards.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay to E. Walter Edwards, successor to C. B. Edwards and Brother, of Raleigh, North Carolina, out of money in the Treasury not otherwise appropriated, the sum of \$106.30, in full satisfaction of all claims for payment of premium on a policy of fire insurance written in 1918 by C. B. Edwards and Brother, covering certain goods of the value of \$127,000, more or less, while in the process of being laundered for the United States Army by the Model Laundry of Raleigh, North Carolina.

Approved, June 6, 1934.

[CHAPTER 419.]

AN ACT

For the relief of McKimmon and McKee, Incorporated.

June 6, 1934.  
[S. 1061.]

[Private, No. 199.]

McKimmon and  
McKee, Inc.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay to McKimmon and McKee, Incorporated, successor to the Raleigh Insurance and

Realty Company, of Raleigh, North Carolina, out of any money in the Treasury not otherwise appropriated, the sum of \$71.59 in full satisfaction of all claims for payment of premiums on policies of fire insurance written in 1918 by such Raleigh Insurance and Realty Company, covering certain goods of the value of \$95,000, more or less, while in the process of being laundered for the United States Army by the Model Laundry, of Raleigh, North Carolina.

Approved, June 6, 1934.

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[CHAPTER 420.]

June 6, 1934.  
[S. 1429.]

[Private, No. 200.]

Anthony J. Lynn.  
Payment to.

AN ACT

For the relief of Anthony J. Lynn.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Anthony J. Lynn, formerly a private, Company G, Thirty-first Regiment United States Infantry, out of any money in the Treasury not otherwise appropriated, the sum of \$254.40, said sum representing the whole amount of pay and allowances of which he was deprived by reason of proceedings against him in 1919 on false charges of burglary and the sentence of courtmartial rendered in such proceedings.*

Approved, June 6, 1934.

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[CHAPTER 421.]

June 6, 1934.  
[S. 2342.]

[Private, No. 201.]

I. T. McRee.  
Payment to, for damages.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

AN ACT

For the relief of I. T. McRee.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to I. T. McRee, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 in full settlement of damages sustained April 11, 1922, in a prohibition raid in Lewis County, Tennessee, when he was shot from ambush: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 6, 1934.

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[CHAPTER 422.]

June 6, 1934.  
[S. 3307.]

[Private, No. 202.]

W. H. Le Duc.  
Reimbursement, for fine paid.

AN ACT

For the relief of W. H. Le Duc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. H. Le Duc the sum of \$1,000, with interest thereon at the rate of 6 per centum per annum from the date of payment of fine*

or penalty, representing the amount deposited by him on account of a fine or penalty of \$1,000 assessed against him and by him paid to the United States under protest at the Port of Galveston on or about March 26, 1928, for alleged violation of the navigation laws: *Provided*, That such sum shall be in full settlement of all claims against the Government of the United States: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 6, 1934.

*Proviso.*  
To be in full settle-  
ment.

Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

[CHAPTER 423.]

AN ACT

For the relief of John S. Cathcart.

June 6, 1934.  
[H.R. 2054.]  
(Private, No. 203.)

John S. Cathcart.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John S. Cathcart, of Hartsville, South Carolina, the sum of \$87.80 for money expended for the Post Office Department.

Approved, June 6, 1934.

[CHAPTER 428.]

AN ACT

For the relief of George A. Fox.

June 7, 1934.  
[S. 3586.]  
(Private, No. 204.)

Navy.  
George A. Fox to be  
appointed chief phar-  
macist.

*Proviso.*  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is hereby authorized to appoint George A. Fox, chief pharmacist's mate, United States Navy, a chief pharmacist in the Navy, subject to qualification on physical examination, with the pay and allowances provided by law for chief warrant officers after twenty years' commissioned service and with creditable record: *Provided*, That no back pay, allowances, or emoluments shall become due prior to the date of this Act.

Approved, June 7, 1934.

[CHAPTER 431.]

AN ACT

For the relief of Woodhouse Chain Works.

June 8, 1934.  
[S. 177.]  
(Private, No. 205.)

Woodhouse Chain  
Works.  
Compensation for  
services.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Woodhouse Chain Works the sum of \$352.93 in full settlement for extra work for which the Government agreed to pay under supplemental contract to contract numbered 448 with the Navy Department.

Approved, June 8, 1934.

## [CHAPTER 432.]

June 8, 1934.  
[S. 254.]

[Private, No. 206.]

Fred H. Cotter.  
Claim of.  
Vol. 39, p. 746; Vol.  
44, p. 772.

Available funds.

## AN ACT

For the relief of Fred H. Cotter.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in the case of Fred H. Cotter, of Portland, Oregon, formerly employed by the Bureau of Public Roads, Department of Agriculture, who is alleged to have contracted disease on November 17, 1929, while in the performance of his duties as such employee, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such Act, as amended, within one year after the date of enactment of this Act, for compensation for disability resulting from such disease; but compensation, if any, shall be paid from and after the date of enactment of this Act. Such payments of compensation shall be made out of funds heretofore or hereafter appropriated for the payment of awards under the provisions of such Act, as amended.*

Approved, June 8, 1934.

## [CHAPTER 433.]

June 8, 1934.  
[S. 785.]

[Private, No. 207.]

Elizabeth Bolger.  
Payment to, for per-  
sonal injuries.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of Elizabeth Bolger.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay Elizabeth Bolger the sum of \$700 in full settlement of all claims against the Government on account of personal injuries sustained as the result of the carelessness of the driver of Navy automobile numbered six hundred and thirty-seven, on April 5, 1919, in Brooklyn, New York: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 8, 1934.

## [CHAPTER 434.]

June 8, 1934.  
[S. 1078.]

[Private, No. 208.]

Mrs. Asa Caswell  
Hawkins.  
Payment to, for  
death of husband.

## AN ACT

For the relief of Mrs. Asa Caswell Hawkins.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Asa Caswell Hawkins, widow of Asa C. Hawkins, of the county of Lenoir and the State of North Carolina, the sum of \$5,000 in full*

compensation for the death of said Asa C. Hawkins, who was killed while employed by and assisting Federal prohibition agents in the enforcement of the National Prohibition Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

Approved, June 8, 1934.

[CHAPTER 435.]

AN ACT

For the relief of the Sultzbach Clothing Company.

June 8, 1934.  
[S. 1191.]

[Private, No. 200.]

Sultzbach Clothing  
Company.  
Refund of fine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Sultzbach Clothing Company the sum of \$6,000 in full settlement of all claims against the Government of the United States. Such sum represents the amount of a fine paid by Sultzbach Clothing Company pursuant to a conviction for violating certain provisions of the Lever Act of August 10, 1917, as amended, prior to the declaration by the Supreme Court of the United States of the unconstitutionality of such provisions: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

Approved, June 8, 1934.

[CHAPTER 436.]

AN ACT

To pay a gratuity to Emma Ferguson Starrett.

June 8, 1934.  
[S. 1401.]

[Private, No. 210.]

Emma Ferguson  
Starrett.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emma Ferguson Starrett, widow of Henry P. Starrett, late American consul general at Algiers, Algeria, the sum of \$8,000, equal to one year's salary of her deceased husband: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or

*Proviso.*  
Limitation on attorney's, etc., fees.

agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 8, 1934.

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[CHAPTER 437.]

AN ACT

June 8, 1934.

[S. 2002.]

[Private, No. 211.]

R. S. Howard Company, Inc.  
Claim of, referred to  
Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear and adjudicate, without regard to existing statutes of limitations, the claim of R. S. Howard Company, for just compensation, arising out of the service upon said company of United States Navy Commandeer Order Numbered N-3255, dated June 18, 1918, with the same right as in other cases to either party to apply to the Supreme Court of the United States for writ of certiorari to review any judgment that may be rendered.*

Approved, June 8, 1934.

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[CHAPTER 438.]

AN ACT

For the relief of the Mary Black Memorial Hospital.

Mary Black Memorial Hospital.  
Payment to, for treatments to Paul Henry Manning.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Mary Black Memorial Hospital, Incorporated, of Spartanburg, South Carolina, the sum of \$2,500.85, in full satisfaction of all claims of such hospital against the United States for expenses incurred in furnishing hospitalization and medical and surgical treatment to Paul Henry Manning, a fireman, second-class, United States Navy, from October 16, 1931, to February 1, 1932, pursuant to a telegraphic authorization dated October 16, 1931, from the Naval Hospital, Norfolk, Virginia, such claim having been subsequently disallowed by the Comptroller General: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 8, 1934.

## [CHAPTER 439.]

## AN ACT

For the relief of Lucy Cobb Stewart.

June 8, 1934.

[S. 3026.]

[Private, No. 213.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucy Cobb Stewart, widow of Nathaniel B. Stewart, late consul general at Barcelona, the sum of \$9,000, such sum representing one year's salary of her deceased husband, who died while at his post of duty.*

Approved, June 8, 1934.

Lucy Cobb Stewart.  
Payment of death  
gratuity to.

## [CHAPTER 440.]

## AN ACT

For making compensation to the estate of Nellie Lamson.

June 8, 1934.

[H.R. 7168.]

[Private, No. 214.]

Nellie Lamson.  
Payment to estate of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$325, in full settlement of all claims against the Government of the United States, to Frank A. Lamson, as the administrator of the estate of Nellie Lamson, of Lower Tonsina, Alaska, deceased, as compensation for the loss of nineteen foxes, the property of the said Nellie Lamson, which were killed as a result of careless dynamite blasting on the homestead of the said Nellie Lamson by the employees of the Alaska Road Commission while engaged in public work for the Government on May 2, 1931: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 8, 1934.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 441.]

## AN ACT

Providing for the appointment of Richmond Pearson Hobson, formerly a captain in the United States Navy, as a rear admiral in the Navy, and his retirement in that grade.

June 9, 1934.

[S. 3380.]

[Private, No. 215.]

Richmond Pearson  
Hobson.  
Appointed a rear  
admiral, Navy, and  
placed on retired list.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to appoint Richmond Pearson Hobson, formerly a captain of the United States Navy, a rear admiral in the Navy, with the rank, pay, and allowances thereof, and upon his acceptance of such appointment and the issuance of the commission in pursuance thereof, he shall be retired by the President as from active service and be placed upon the retired list in the grade of rear admiral, as of thirty years' service, and with the pay of that grade.*

Approved, June 9, 1934.

## [CHAPTER 448.]

June 11, 1934.

[S. 85.]

[Private, No. 216.]

Paul J. Sisk.  
Payment to.

## AN ACT

For the relief of Paul J. Sisk.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to settle and certify for payment to Paul J. Sisk, a clerk in the post office at Spokane, Washington, out of any money in the Treasury not otherwise appropriated, the amount of \$60, on account of an erroneous payment by him on money order numbered 234886, for that amount, issued at Payette, Idaho, on September 5, 1931.*

Approved, June 11, 1934.

## [CHAPTER 449.]

June 11, 1934.

[S. 176.]

[Private, No. 217.]

Harry Harsin.  
Credit in postal ac-  
counts.

## AN ACT

For the relief of Harry Harsin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby authorized and directed to credit Harry Harsin, postmaster at Asbury Park, New Jersey, in his accounts with the sum of \$28,022, the amount of money and postage stamps lost in the burglary of the post office at Asbury Park, New Jersey, on July 6, 1929.*

Approved, June 11, 1934.

## [CHAPTER 450.]

June 11, 1934.

[S. 256.]

[Private, No. 218.]

Milburn Knapp.  
Payment to.

## AN ACT

For the relief of Milburn Knapp.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay to Milburn Knapp, out of any money in the Treasury not otherwise appropriated, the sum of \$16,000 in full settlement of all claims against the United States for losses sustained by him as the result of the revocation by the Department of the Interior, on November 12, 1913, of a permit granted for the use of the Williamson River in connection with a contract for the cutting and removal of certain timberlands in the Klamath Indian Reservation, in the State of Oregon, entered into on January 24, 1913, by Milburn Knapp and the Commissioner of Indian Affairs on behalf of the United States.*

Approved, June 11, 1934.

## [CHAPTER 451.]

June 11, 1934.

[S. 512.]

[Private, No. 219.]

Peter Pierre.  
Reimbursement, for  
loss of horse.

## AN ACT

For the relief of Peter Pierre.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$45 to Peter Pierre, in payment for a horse which was lost while being used to transport supplies to a forest fire on the Flathead Indian Reservation, State of Montana.*

Approved, June 11, 1934.

## [CHAPTER 452.]

## AN ACT

For the relief of Catherine Wright.

June 11, 1934.

[S. 620.]

[Private, No. 220.]

Catherine Wright.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Catherine Wright, of San Francisco, California, the sum of \$5,000, in full satisfaction of her claim against the United States for damages arising out of the embezzlement by a former United States commissioner for the northern district of California of a like sum deposited with him as bail on August 2, 1930, by John F. Sullivan: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 11, 1934.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 453.]

## AN ACT

For the relief of Lueco R. Gooch.

June 11, 1934.

[S. 1077.]

[Private, No. 221.]

Lueco R. Gooch.  
Reimbursement for medical expenditures.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lueco R. Gooch, of Henderson, North Carolina, out of any money in the Treasury not otherwise appropriated, the sum of \$516.28, in full satisfaction of all claims against the United States on account of expenditures made by him in the medical treatment of his son, Lueco R. Gooch, Junior, private, Company C, One Hundred and Twentieth Infantry, North Carolina National Guard, who was injured in the line of duty on July 16, 1929, at Camp Glenn, North Carolina, during the field-training period July 7 to July 21, 1929: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 11, 1934.

## [CHAPTER 454.]

## AN ACT

For the relief of M. Thomas Petrov.

June 11, 1934.

[S. 1430.]

[Private, No. 222.]

M. Thomas Petrov.  
Payment to, for prop-  
erty losses.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. Thomas Petrov (alias Mieczyslaw Piotrowsky), formerly a private, Service Troop, Eleventh Regiment United States Cavalry, the sum of \$193.36 in full satisfaction of his claim against the United States for loss of personal property in the fire which destroyed the saddle and harness rooms of such troop at the presidio of Monterey, California, on January 1, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1934.

## [CHAPTER 455.]

## AN ACT

For the relief of Edgar Stivers.

June 11, 1934.

[S. 1460.]

[Private, No. 223.]

Edgar Stivers.  
Credit in postal ac-  
counts.

*Proviso.*  
Subrogation of  
claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Edgar Stivers, postmaster at Dodge Center, Minnesota, in the sum of \$240.45, due the United States on account of loss of postal funds resulting from the failure of the Farmers National Bank of Dodge Center, Minnesota: *Provided*, That the said postmaster shall assign to the United States, any and all claims he may have to dividends arising from the liquidation of said bank.

Approved, June 11, 1934.

## [CHAPTER 456.]

## AN ACT

For the relief of Michael Bello.

June 11, 1934.

[S. 1518.]

[Private, No. 224.]

Michael Bello.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Michael Bello, as administrator of John Bello, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the Government for injuries resulting in the death of the said John Bello when he was struck by a United States Army truck from Fort Tilden, Borough of Queens, New York City, operated by a private in the United States Army attached to the Seventh Company United States Coast Artillery Corps. Said accident occurred on February 4, 1932, while the deceased was riding a bicycle in a southwesterly direction along Cryders Lane, Whitestone, Borough of Queens, New York City, and

the United States Army truck was making a left turn into Cryders Lane from Fifteenth Avenue, Whitestone, Borough of Queens, New York City: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Approved, June 11, 1934.

Penalty for violation.

[CHAPTER 457.]

AN ACT

For relief of the Western Montana Clinic, Missoula, Montana.

June 11, 1934.  
[S. 1772.]

[Private, No. 225.]

Western Montana  
Clinic.  
Payment to, for pro-  
fessional services.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the Western Montana Clinic, of Missoula, Montana, out of any money in the Treasury not otherwise appropriated, the sum of \$5,022.30 in full satisfaction of its claim against the United States for surgical and medical services rendered prior to May 30, 1932, to Indians on the Flathead Indian Reservation, Montana.*

Approved, June 11, 1934.

[CHAPTER 458.]

AN ACT

For the relief of Claudia L. Polski.

June 11, 1934.  
[S. 2023.]

[Private, No. 226.]

Claudia L. Polski.  
Claim of.  
Vol. 39, p. 746.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements of sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties", approved September 7, 1916, as amended, are hereby waived in favor of Claudia L. Polski, formerly a nurse in the United States Public Health Service, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim made by her for compensation for injury alleged to have been suffered in the performance of her duties as such nurse under the other provisions of such Act as amended: *Provided*, That no benefits shall accrue prior to the enactment of this Act.*

Approved, June 11, 1934.

*Proviso.*  
No prior benefits.

[CHAPTER 459.]

AN ACT

For the relief of A. E. Shelley.

June 11, 1934.  
[S. 2377.]

[Private, No. 227.]

A. E. Shelley.  
Payment to, for per-  
sonal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to A. E. Shelley, of Heber, Arizona, out of any money in the Treasury not otherwise appropriated, the sum of \$691.20 in full satisfaction of his claim against the United States for damages on account of injuries sustained on April 6, 1931, which resulted from*

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

running into a United States Forest Service telephone wire near Heber, Arizona, which had been negligently left partially down by employees of such Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1934.

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[CHAPTER 460.]

June 11, 1934.  
[S. 2636.]

[Private, No. 228.]

*James Slevin.*  
Payment to, for property damages.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

AN ACT

For the relief of James Slevin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Slevin, Island Park, Long Island, New York, \$1,425, in full settlement of all claims against the Government of the United States, being the amount found due him as damages to his property at Island Park, New York, by reason of an Army airplane crash on September 8, 1933: Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1934.

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[CHAPTER 461]

AN ACT

For the relief of the Charlestown Sand and Stone Company, of Elkton, Maryland.

June 11, 1934.  
[S. 2790.]

[Private, No. 229.]

Charlestown Sand and Stone Company.  
Reimbursement for freight charges.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Charlestown Sand and Stone Company, of Elkton, Maryland, out of any money in the Treasury not otherwise appropriated, the sum of \$12,385.99 in full settlement of the additional freight charges incurred by said company in the fulfillment of the requirements of the United States engineer office under the contract of August 23, 1917, for furnishing and delivering cement, sand, and gravel (or broken stone) to Fort Saulsbury, Delaware, for the construction of gun and mortar batteries.*

Approved, June 11, 1934.

## [CHAPTER 462.]

## AN ACT

For the relief of certain Indians of the Fort Peck Reservation, Montana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named Indians of the Fort Peck Reservation the amounts herein set forth: James Black Dog, \$185; Archie Red Elk, \$25; Catherine Medicine Walk and Belle Medicine Walk, \$25; James Garfield, \$70; Nancy Titus, \$35; and Carl W. Eagle, administrator of the estate of Charles Peterson, \$25; the above sums representing funds collected for the Indians named, but misapplied by a former employee of the Indian Service.

Approved, June 11, 1934.

June 11, 1934.

[S. 2889.]

[Private, No. 230.]

Fort Peck Reservation, Mont.  
Payment to designated Indians of, authorized.

## [CHAPTER 463.]

## AN ACT

For the relief of First Lieutenant Walter T. Wilsey.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to First Lieutenant Walter T. Wilsey the sum of \$147.50, in full settlement of all claims against the Government of the United States, which amount was stolen from the safe of Company A, Fourth Motor Repair Battalion, Quartermaster Corps, Camp Holabird, Maryland, on March 6, 1925, and reimbursed to the said company by Lieutenant Wilsey: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1934.

June 11, 1934.

[S. 2973.]

[Private, No. 231.]

Lieutenant Walter T. Wilsey.  
Reimbursement, for stolen Army funds.

*Proviso.*  
Limitation on attorney's, etc. fees.

Penalty for violation.

## [CHAPTER 464.]

## AN ACT

For the relief of Charles T. Moll.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Charles T. Moll, who served in Company F, Fourteenth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 3d day of January 1901 and notwithstanding any provisions to the contrary in the Act relating to pensions approved April 26, 1898, as amended by the Act approved May 11, 1908: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, June 11, 1934.

June 11, 1934.

[H.R. 3985.]

[Private, No. 232.]

Charles T. Moll.  
Military record corrected.

*Proviso.*  
No back pay, etc.

## [CHAPTER 499.]

## AN ACT

June 13, 1934.

[S. 2898.]

[Private, No. 233.]

*George A. Carden  
and Anderson T. Herd.  
Claims of, referred to  
Court of Claims.*

*Proviso.  
Allowance for sums  
paid.*

*Separate suits may  
be maintained.*

*Entry of, within one  
year.*

*Evidence hitherto  
taken may be intro-  
duced.*

*Recovery, if contract  
of sale included opera-  
tion of ships.*

Conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on certain claims of George A. Carden and Anderson T. Herd against the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States, notwithstanding lapse of time or any statute of limitations, or other limitations upon the jurisdiction of such court, to hear, consider, and render judgment upon any claims, legal or equitable, of George A. Carden and Anderson T. Herd, or their legal representatives, against the United States, involving the steamships Erny, Lucia, Anna, Teresa, Clara, Ida, Dora, Himalaia, Franconia, and Campania: Provided, That in determining the amount of any judgment on any such claim, allowance shall be made for any amount heretofore awarded the claimants on account of such claim: Provided further, That separate suits may be maintained (by or on behalf of the claimants or their legal representatives) with respect to any of such claims, but no suit shall be brought after the expiration of one year from the date of the enactment of this Act: And provided further, That the record of the proceedings before the War Department heretofore had with respect to certain of such ships and the evidence there taken may be introduced, together with the exhibits therein offered, before the Court of Claims, with the full force of depositions, subject to objections as to competency and relevancy: Provided further, That if the Court of Claims shall upon the evidence reach the conclusion that the contract of sale included any right to the operation of the ships and that such right was not satisfied by the subsequent payment by the Secretary of War as an accord and satisfaction then the recovery shall be limited to the duration of the World War.*

Approved, June 13, 1934.

## [CHAPTER 500.]

## AN ACT

For the relief of Estelle Johnson.

June 13, 1934.

[S. 1994.]

[Private, No. 234.]

*Estelle Johnson.  
Redemption of cer-  
tificate of indebtedness  
in favor of.*

*Proviso.  
Condition.*

*Indemnity bond.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Estelle Johnson, 3 3/4 per centum United States Treasury certificate of indebtedness, series A-1933, numbered 1798 in the denomination of \$500, issued February 1, 1932, matured February 1, 1933, without interest and without presentation of said certificate which is alleged to have been lost or destroyed: Provided, That the said certificate of indebtedness shall not have been previously presented and paid: And provided further, That the said Estelle Johnson shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of said certificate of indebtedness in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the certificate of indebtedness hereinbefore described.*

Approved, June 13, 1934.

## [CHAPTER 501.]

## AN ACT

For the relief of Claude A. Brown and Ruth McCurry Brown, natural guardians of Mamie Ruth Brown.

June 13, 1934.

[S. 2750.]

[Private, No. 235.]

Mamie Ruth Brown.  
Redemption of Treasury note in favor of natural guardians of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem, in favor of Claude A. Brown and Ruth McCurry Brown, natural guardians of Mamie Ruth Brown, 3½ per centum United States Treasury note, series A-1930-32, numbered A-00,018,061, in the denomination of \$1,000, issued March 15, 1927, called for redemption March 15, 1931, matured March 15, 1932, without interest and without presentation of said note, which is alleged to have been destroyed: Provided, That the said note shall not have been previously presented: And provided further, That the said Claude A. Brown and Ruth McCurry Brown shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of the said note, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the note hereinbefore described.*

Approved, June 13, 1934.

Proviso.  
Condition.  
Indemnity bond.

## CHAPTER 502.]

## AN ACT

For the relief of Martin Henry Waterman, deceased.

June 13, 1934.

[H.R. 311.]

[Private, No. 236.]

Martin Henry Waterman.  
Military record corrected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, their widows, and dependent relatives, Martin Henry Waterman, late of Company H, Fourteenth Regiment United States Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on the 2d day of February 1891: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, June 13, 1934.

Proviso.  
No back pay, etc.

## CHAPTER 503.]

## AN ACT

For the relief of Lula A. Densmore.

June 13, 1934.

[H.R. 2692.]

[Private, No. 237.]

Lula A. Densmore.  
Payment to, for death of husband.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any funds in the Treasury not otherwise appropriated, to Lula A. Densmore, widow of Clarence Densmore, the sum of \$5,000 in full settlement of all claims against the Government of the United States for damages incurred by the killing of Clarence Densmore, her husband, on a public highway of Douglas County, Georgia, by Fred Pierce, a Federal prohibition agent, which said killing occurred on July 13, 1932: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect,*

Proviso.  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 13, 1934.

**[CHAPTER 504.]****AN ACT**

For the relief of A. C. Francis.

June 13, 1934.  
[H. R. 2748.]

[Private, No. 238.]

A. C. Francis.  
Reimbursement  
of  
expense.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. C. Francis, sheriff of Midland County, Texas, the sum of \$204.30 as reimbursement of expense incurred in connection with the apprehension of William Dunn Reiger, a fugitive from justice wanted by the Federal Government.*

Approved, June 13, 1934.

**[CHAPTER 505.]****AN ACT**

For the relief of George Dacas.

June 13, 1934.  
[H. R. 4541.]

[Private, No. 239.]

George Dacas.  
Payment to legal  
guardian of, for in-  
juries.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$5,000 to the legal guardian of George Dacas for injuries sustained as the result of an explosion of a dynamite cap on the site of Camp Gordon on February 22, 1922: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 13, 1934.

**[CHAPTER 506.]****AN ACT**

For the relief of Judd W. Hulbert.

June 13, 1934.  
[H. R. 4932.]

[Private, No. 240.]

Judd W. Hulbert.  
Reinstatement of, to  
disability compensa-  
tion rolls, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and it hereby is, authorized and directed to restore Judd W. Hulbert to the rolls of employees entitled to compensation under the provisions of the Compensation Acts and to give him the benefits of said Acts.*

SEC. 2. That said Commission pay to the said Judd W. Hulbert out of the employees' compensation fund, which is hereby made available for this purpose, the sum of \$66.66 per month from the date of enactment of this Act until the date of his death: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum of the lump sum appropriated in section 2 shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum of the lump sum appropriated in section 2 on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

SEC. 3. The payment of the sums authorized to be paid under this Act shall be in full settlement of all claims against the United States on account of the injury of the said Judd W. Hulbert.

*Penalty for violation.*

Approved, June 13, 1934.

*Payment to be in full settlement.*

## [CHAPTER 507.]

## AN ACT

For the relief of Jose Ramon Cordova.

June 13, 1934.  
[H.R. 6636.]

[Private, No. 241.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jose Ramon Cordova, of Farmington, New Mexico, the sum of \$3,500 in full settlement of all claims against the Government of the United States, for injuries sustained, during February 1915, while in the discharge of his duties as member of a posse organized by the United States marshal for the district of Utah for the capture of Tse-Ne-Gat, alias Everett Hatch, a Piute Indian charged with murder: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Payment to, for personal injuries.

Approved, June 13, 1934.

*Penalty for violation.*

## [CHAPTER 508.]

## AN ACT

For the relief of Oscar P. Cox.

June 13, 1934.  
[H.R. 6636.]

[Private, No. 242.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar P. Cox, United States marshal for the district of Hawaii, the sum of \$524.37. Said sum represents the amount charged Oscar P. Cox by the United

Oscar P. Cox.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

States by reason of his hiring extra guards to accompany Federal prisoners from Hawaii to Leavenworth, Kansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 13, 1934.

[CHAPTER 509.]

AN ACT

For the relief of Mrs. Pleasant Lawrence Parr.

June 13, 1934.  
[H.R. 6890.]  
[Private, No. 243.]  
  
Mrs. Pleasant Lawrence Parr.  
Disability compensation claim to be determined.

Vol. 39, p. 746.

*Proviso.*  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Mrs. Pleasant Lawrence Parr, widow of Pleasant Lawrence Parr, a former employee of the Navy Department, in the same manner and to the same extent as if application for the benefits of the United States Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 13, 1934.

[CHAPTER 524.]

AN ACT

For the relief of L. R. Smith.

June 14, 1934.  
[S. 870.]  
[Private, No. 244.]  
  
L. R. Smith.  
Reimbursement to.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to L. R. Smith, of Fortine, Montana, the sum of \$19,223, said amount being in full settlement of all claims against the Government of the United States and reimbursement to the said L. R. Smith for the construction of a graded truck road, seven miles in length, on Graves Creek, within the Blackfeet National Forest Reservation in the State of Montana, in pursuance of a survey made by the Forestry Bureau and proposed road development on said reservation in the Blackfeet National Forest: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1934.

## [CHAPTER 525.]

**AN ACT**  
For relief of M. M. Twichel.

June 14, 1934.

[S. 1126.]

[Private, No. 245.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to M. M. Twichel, of Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of \$3,433.34 in full satisfaction of his claim against the United States for compensation for services rendered and expenses incurred in connection with the burial of Indians on the Flathead Indian Reservation, Montana, prior to May 1, 1933: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 14, 1934.

M. M. Twichel.  
Payment to, for mor-  
tuary services.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 526.]

**AN ACT**

For the relief of Marion Von Bruning (nee Marion Hubbard Treat).

June 14, 1934.

[S. 1731.]

[Private, No. 246.]

Marion Von Brun-  
ing.  
Payment to.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 527.]

**AN ACT**  
For the relief of N. Lester Troast.

June 14, 1934.

[S. 2018.]

[Private, No. 247.]

N. Lester Troast.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,*

the sum of \$144.28 to N. Lester Troast, of Juneau, Alaska, in full settlement of expenses incurred by him under official orders in connection with the use of his personally owned automobile on official business at Wrangell, Alaska, while supervising the construction of an Indian boarding school at that place.

Approved, June 14, 1934.

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[CHAPTER 528.]

June 14, 1934.

[H.R. 2287.]

[Private, No. 248.]

**Ensign Warren Burke.**  
Placed on Navy retired list.

**Proviso.**  
Incapacity in line of duty to be shown.

No back pay, etc.

AN ACT

For the relief of Warren Burke.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to place Ensign Warren Burke, United States Naval Reserve, upon the retired list of the Navy with three fourths of the active-duty pay of his grade: Provided, That a duly constituted naval retiring board finds that the said Warren Burke is incapacitated for service by reason of physical disability incurred in the line of duty: Provided further, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, June 14, 1934.

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[CHAPTER 529.]

AN ACT

For the relief of Sue Hall Erwin.

June 14, 1934.

[H.R. 3167.]

[Private, No. 249.]

**Sue Hall Erwin.**  
Navy death gratuity payment to.

**Proviso.**  
Dependency to be established.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sue Hall Erwin, mother of Marcus Erwin, Junior, ensign, United States Navy, who was killed by an explosion on the United States ship Mississippi, June 12, 1924, is hereby allowed an amount equal to six months' pay at the rate Marcus Erwin, Junior, was receiving at the time of his death: Provided, That the said Sue Hall Erwin shall establish to the satisfaction of the Secretary of the Navy her dependency upon her son, the late Marcus Erwin, Junior.*

Approved, June 14, 1934.

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[CHAPTER 530.]

AN ACT

For the relief of Benjamin Wright, deceased.

June 14, 1934.

[H.R. 3423.]

[Private, No. 250.]

**Benjamin Wright.**  
Military record corrected.

**Proviso.**  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Benjamin Wright, deceased, who was a lieutenant, junior grade, United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on January 19, 1899: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, June 14, 1934.

## [CHAPTER 531.]

**AN ACT**  
For the relief of C. A. Betz.

June 14, 1934.  
[H. R. 3992.]  
[Private, No. 251.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. A. Betz the sum of \$103.34 in full settlement of all claims against the Government of the United States. This sum represents the actual expenses incurred by Mr. Betz in making a trip from San Francisco to Bremerton Navy Yard in response to a summons issued by the Navy Department: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 14, 1934.

C. A. Betz.  
Reimbursement, for  
travel expenses.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

## [CHAPTER 532.]

**AN ACT**  
For the relief of Joseph B. Lynch.

June 14, 1934.  
[H.R. 4962.]  
[Private, No. 252.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to advance Lieutenant Joseph B. Lynch, United States Naval Reserve, to a place in the list of lieutenants of the Naval Reserve to rank next after Lieutenant Walter R. Hillberg: Provided, That in the computation of service for purposes of pay the said Lieutenant Joseph B. Lynch shall be credited with inactive confirmed commissioned service in the Naval Reserve Force during the period from August 18, 1921, to August 7, 1923, inclusive: And provided further, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, June 14, 1934.

Lieutenant Joseph B.  
Lynch.  
Advancement in  
numbers, Naval Re-  
serve, authorized.

*Proviso.*  
Service record.

No back pay, etc.

## [CHAPTER 533.]

**AN ACT**  
For the relief of Lieutenant H. W. Taylor, United States Navy.

June 14, 1934.  
[H.R. 5780.]  
[Private, No. 253.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$52 to Lieutenant H. W. Taylor, United States Navy, to reimburse him for travel expenses incurred in connection with an airplane flight from Philadelphia, Pennsylvania, to Key West, Florida, in December 1925, under orders issued by naval authorities.*

Approved, June 14, 1934.

Lieutenant H. W.  
Taylor, Navy.  
Reimbursement, for  
travel expenses.

## [CHAPTER 534.]

June 14, 1934.

[H.R. 7028.]

[Private, No. 254.]

Mrs. Joseph Roncoli.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of Mrs. Joseph Roncoli.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Joseph Roncoli the sum of \$2,500 in full settlement of all claims against the Government of the United States for injuries sustained by her when struck by a truck owned and operated by the Navy Department, while alighting from a street car at Twenty-third Street and Seventh Avenue, in New York City: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 14, 1934.

## [CHAPTER 535.]

## AN ACT

For the relief of Sarah Smolen.

June 14, 1934.

[H.R. 7367.]

[Private, No. 255.]

Sarah Smolen.  
Monthly payments  
to, for death of husband.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah Smolen, of New York City, New York, not to exceed \$5,000 in monthly installments of \$50 each, to be disbursed through the United States Employees' Compensation Commission, in full settlement of all claims against the Government on account of the death of her husband, the late Joseph Smolen, who was a special employee of the New York City Office of the Bureau of Narcotics, Treasury Department, and who mysteriously disappeared and is believed to have been killed while engaged in official Government business on or about October 4, 1931: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 14, 1934.

## [CHAPTER 544.]

## AN ACT

For the relief of the Yosemite Lumber Company.

June 15, 1934.

[H.R. 1405.]

[Private, No. 256.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Yosemite Lumber Company the sum of \$1,100 in full settlement of all claims against the Government of the United States. Such sum represents the difference between the actual cost to such company for labor, supplies, and transportation of men incurred in the fighting of forest fires in September 1926 in the Yosemite National Park and the amount paid such company by the National Park Service.*

Approved, June 15, 1934.

Yosemite Lumber Company.  
Payment to, expenses fighting forest fires.

## [CHAPTER 560.]

## AN ACT

Granting a franking privilege to Grace G. Coolidge.

June 16, 1934.  
[H.R. 5344.]

[Private, No. 257.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all mail matter sent by post by Grace G. Coolidge, widow of the late Calvin Coolidge, under her written autograph signature, be conveyed free of postage during her natural life.*

Approved, June 16, 1934.

Grace G. Coolidge.  
Granted postal franking privilege.

## [CHAPTER 561.]

## AN ACT

For the relief of Gladding, McBean and Company.

June 16, 1934.  
[S. 1173.]

[Private, No. 258.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Gladding, McBean and Company, out of any money in the Treasury not otherwise appropriated the sum of \$6,602.40 in full settlement of all claims against the Government of the United States for losses suffered by the said company by reason of the default of the Plains Construction Company, general contractors for the construction of post office at Las Vegas, Nevada, and the contractor's failure to furnish a valid bond as required by law for the protection of labor and material men furnishing labor and material on public works: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 16, 1934.

Gladding, McBean and Company.  
Reimbursement, for building, etc., losses.

Proriso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 562.]

June 16, 1934.  
[H.R. 4272.]

[Private, No. 259.]

Annie Moran.  
Payment to, for  
death of son.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Annie Moran, New York City, the sum of \$5,000. Such sum shall be in full satisfaction of all claims against the United States for damages sustained by the said Annie Moran as the result of the death of her son, Edward Moran, who was struck and fatally injured by a United States mail truck in New York City, May 12, 1930.*

Approved, June 16, 1934.

## [CHAPTER 563.]

June 16, 1934.  
[H.R. 4460.]

[Private, No. 260.]

George E. Q. John-  
son.  
Payment to, for  
services as district  
judge.  
R. S., sec. 1761, p. 313.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 1761 of the Revised Statutes, as amended, George E. Q. Johnson shall be paid the sum of \$5,500 as compensation for services for the period from August 17, 1932, to March 4, 1933, both days inclusive, during which time he held the office of United States district judge for the northern district of Illinois. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,500, or so much thereof as may be necessary, for payment of the claim: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 16, 1934.

## [CHAPTER 564.]

June 16, 1934.  
[H.R. 1769.]

[Private, No. 261.]

John F. Jewell.  
Payment to widow.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Jeannette S. Jewell, widow of John F. Jewell, late American consul at Birmingham, England, the sum of \$7,000, being one year's salary of her deceased husband, who died of illness incurred while in the Consular Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.*

Approved, June 16, 1934.

## [CHAPTER 565.]

## AN ACT

For the relief of Alice M. A. Damm.

June 16, 1934.  
[H.R. 5357.]  
[Private, No. 262.]Henry C. A. Damm.  
Payment to widow.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Alice M. A. Damm, widow of Henry C. A. Damm, late American consul at Nogales, Mexico, the sum of \$5,000, being one year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act: *Provided*, That no part of the amount authorized to be appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount authorized to be appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 16, 1934.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 566.]

## AN ACT

For the relief of Rosemund Pauline Lowry.

June 16, 1934.  
[H.R. 7781.]  
[Private, No. 263.]Edward Prindle  
Lowry.  
Payment to widow.*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Rosemund Pauline Lowry, widow of Edward Prindle Lowry, late second secretary to the American Embassy at Mexico City, the sum of \$4,500, being one year's salary of her deceased husband who died while in foreign service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 16, 1934.

## [CHAPTER 612.]

## AN ACT

For the relief of William Chinsky.

June 16, 1934.  
[H.R. 7697.]  
[Private, No. 264.]William Chinsky.  
Payment to, for personal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

William Chinsky the sum of \$2,500, in compensation for injuries sustained as the result of an explosion of a hand grenade which he had picked up in Grant Park, Chicago, Illinois, October 12, 1919: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 16, 1934.

[CHAPTER 613.]

June 18, 1934.  
[S. 2138.]

[Private, No. 265.]

Charles J. Webb  
Sons Company, Inc.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles J. Webb Sons Company, Incorporated, the sum of \$18,648.87, in full satisfaction of all claims against the Government of the United States for reimbursement on account of amounts erroneously collected and covered into the Treasury which had been tendered by such company in connection with a conditional offer in settlement dated January 4, 1932, and amended January 8 and 19, 1932, the conditions of which offer were not performed by the Government and the settlement not consummated: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 18, 1934.

[CHAPTER 614.]

June 18, 1934.  
[H. R. 206.]

[Private, No. 266.]

Pierre E. Teets.  
Reimbursement, for  
medical, etc., expenses.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is hereby authorized and directed to certify for payment the claim of Pierre E. Teets, first lieutenant, Field Artillery Reserve, United States Army, for six months' pay and allowances, and reimbursement for such amounts as may be approved by the Secretary of War expended by him for medical and hospital treatment for injuries sustained while under active-duty training from July 3, 1927, to July 17, 1927, at Camp Pine, New York.

Approved, June 18, 1934.

## [CHAPTER 615.]

## AN ACT

For the relief of Laura B. Crampton.

June 18, 1934.

[H.R. 452.]

[Private, No. 267.]

Laura B. Crampton.  
Claim of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Laura B. Crampton, on account of injuries alleged to have been sustained by her employment in the service of the United States as an oral hygienist at the United States Veterans' Administration Hospital at San Fernando, California: Provided, That she shall file notice of such injury and claim for compensation therefor not later than sixty days from the enactment of this Act: And provided further, That no benefits shall accrue prior to the enactment of this Act.*

Approved, June 18, 1934.

Vol. 39, pp. 746, 747.

*Proviso.*  
Time for filing claim.

No prior benefits.

## [CHAPTER 616.]

## AN ACT

For the relief of Physicians and Surgeons Hospital (Limited).

June 18, 1934.

[H.R. 471.]

[Private, No. 268.]

Physicians and Sur-  
geons Hospital (Ltd.).  
Payment to, for pro-  
fessional services.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Physicians and Surgeons Hospital (Limited), Glendale, California, out of any money in the Treasury not otherwise appropriated, the sum of \$150 in full settlement of all claims against the Government of the United States for professional services rendered Wilfred Henry Engel for injuries sustained in a motorcycle accident on or about January 15, 1931, said services having been authorized by a naval officer: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 617.]

## AN ACT

For the relief of Morris Spirt.

June 18, 1934.

[H.R. 529.]

[Private, No. 269.]

Morris Spirt.  
Refund of fine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Morris Spirt, of Waterbury, Connecticut, the sum of \$1,500 in full settlement of all claims against the Government of the United States. Such sum is the amount of a fine paid on such date into the Treasury of the United States pursuant to a plea of guilty to an indictment for violation of certain provisions of the Act entitled "An Act to provide further for the national security and defense by encouraging*

Vol. 40, p. 276.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

**Penalty for violation.**

the production, conserving the supply, and controlling the distribution of food products and fuel", approved August 10, 1917 (popularly known as the "Lever Act"), prior to the declaration by the Supreme Court of the United States of the invalidity of such provisions: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 18, 1934.

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[CHAPTER 618.]

June 18, 1934.  
[H.R. 1306.]

[Private, No. 270.]

*Clarence A. Wimley.*  
Payment to, for per-  
sonal injuries.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

**Penalty for violation.**

AN ACT

For the relief of Clarence A. Wimley.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Clarence A. Wimley, out of any money in the Treasury not otherwise appropriated, the sum of \$100 in full settlement of all claims against the Government of the United States for personal injuries resulting from a collision between a taxicab in which he was a passenger and a Navy bus on October 29, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 18, 1934.

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[CHAPTER 619.]

June 18, 1934.  
[H.R. 1308.]

[Private, No. 271.]

*John Parker Clark,*  
senior.  
Payment to, for prop-  
erty loss.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

AN ACT

For the relief of John Parker Clark, senior.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Parker Clark, senior, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the Government of the United States for personal and property loss resulting from collision with Army vehicle near Freehold, New Jersey, on the night of October 26, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be

unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 18, 1934.

[CHAPTER 620.]

AN ACT

For the relief of John Parker Clark, junior.

June 18, 1934.  
[H.R. 1345.]

[Private, No. 272.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay John Parker Clark, junior, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full settlement of all claims against the Government of the United States for personal injuries resulting from a collision with Army vehicle near Freehold, New Jersey, on the night of October 26, 1929: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

John Parker Clark,  
junior.  
Payment to, for per-  
sonal injuries.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

[CHAPTER 621.]

AN ACT

For the relief of Michael Petrucci.

June 18, 1934.  
[H.R. 1792.]

[Private, No. 273.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael Petrucci, of Meriden, Connecticut, the sum of \$5,000 in full settlement of all claims against the United States for injury received on July 20, 1931, near Newington, Connecticut, by reason of an accident in which an airplane of the United States Army was involved: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Michael Petrucci.  
Payment to, for per-  
sonal injuries.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

## [CHAPTER 622.]

## AN ACT

For the relief of Jeanie G. Lyles.

June 18, 1934.[H.R. 2038.][Private, No. 274.]

Lieut. De Witt C.  
Lyles.  
Payment to mother  
of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jeanie G. Lyles, of Anne Arundel County, Maryland, mother of De Witt C. Lyles, late lieutenant, Twentieth Regiment United States Infantry, the sum of \$1,500, which sum is hereby appropriated for the invention, by the said Lieutenant De Witt C. Lyles, of an attachment to the packsaddle frames used by the United States Army; and for the further use by the Army from said date of said invention there shall not be paid any further sum: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

## [CHAPTER 623.]

## AN ACT

For the relief of Emma R. H. Taggart.

June 18, 1934.[H.R. 2326.][Private, No. 275.]

Giles Russell Taggart.  
Payment of death  
gratuity to widow of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emma R. H. Taggart, widow of Giles Russell Taggart, late American consul at Belize, British Honduras, the sum of \$4,000, equal to one year's salary of her deceased husband.*

Approved, June 18, 1934.

## [CHAPTER 624.]

## AN ACT

For the relief of Paul I. Morris.

June 18, 1934.[H.R. 2660.][Private, No. 276.]

Paul I. Morris.  
Reimbursement to.

Sum appropriated to  
be in full settlement of  
claim.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, the sum of \$660 to the said Paul I. Morris in full payment for hospital, physician, and nursing bills and funeral expenses incurred by him in the last illness, death, and burial of William Fuller Morris, who died July 21, 1930, as the result of disease contracted at the Citizens' Military Training Camp, Fort McClellan, Alabama.*

*SEC. 2. That the amount herein appropriated shall be in full settlement of all claims of the said Paul I. Morris against the United States on account of the death of his said son.*

Approved, June 18, 1934.

## [CHAPTER 625.]

## AN ACT

For the relief of Ernest Elmore Hall.

June 18, 1934.  
[H. R. 3176.]  
[Private, No. 277.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Ernest Elmore Hall, of Asheville, North Carolina, the sum of \$2,500. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from injuries to Ernest Elmore Hall, who lost a thumb and two fingers from the explosion in his hand of a hand grenade which was left at or near Camp Wadsworth, Spartanburg, South Carolina, on November 22, 1919: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

Ernest Elmore Hall.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 626.]

## AN ACT

To reimburse Earl V. Larkin for injuries sustained by the accidental discharge of a pistol in the hands of a soldier in the United States Army.

June 18, 1934.  
[H. R. 3318.]  
[Private, No. 278.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Earl V. Larkin the sum of \$1,213.25 in full settlement of all claims against the Government of the United States out of any money in the Treasury not otherwise appropriated, being for hospital care and medical services rendered Earl V. Larkin, a civilian, who was injured by the accidental discharge of a gun in the hands of a private in the United States Army: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

Earl V. Larkin.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 627.]

June 18, 1934.  
H.R. 3606.]

[Private, No. 279.]

William Sheldon.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

AN ACT  
For the relief of William Sheldon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$1,937.10 be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the relief of William Sheldon, former deputy United States marshal for the eastern district of Oklahoma, who was injured in the discharge of his duties: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

## [CHAPTER 628.]

June 18, 1934.  
[H.R. 3748.]

[Private, No. 280.]

Mary Orinski.  
Reimbursement to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

AN ACT  
For the relief of Mary Orinski.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Mary Orinski, which sum was paid by the said Mary Orinski to the United States on the bond of Stefan Krync: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

## [CHAPTER 629.]

June 18, 1934.  
[H.R. 3912.]

[Private, No. 281.]

Roland Zolesky.  
Compensation, for personal injuries.

AN ACT  
For the relief of Roland Zolesky.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to Roland Zolesky as compensation for injuries sustained, without fault or negligence on his part, when on the 26th*

day of February, 1919, at Milwaukee, Wisconsin, by reason of the negligent supervision and control by agents and officers of the United States Government of certain tests of rifle grenades, the said Roland Zolesky came into possession of a certain rifle grenade which exploded with great force; causing permanent injuries to his right arm and face: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

[CHAPTER 630.]

AN ACT

For the relief of John J. Corcoran.

June 18, 1934.  
[H. R. 4082.]  
[Private, No. 282.]

John J. Corcoran.  
Payment to, for in-  
juries and damages.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. Corcoran, of Roxbury, Massachusetts, in full settlement against the Government, the sum of \$600 for damages to his automobile, medical expenses, ruined clothing, and permanent injuries sustained by the wife of said John J. Corcoran when his automobile was struck by ambulance numbered 987 of the United States Veterans' Bureau on September 18, 1922, in Boston, Massachusetts: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

[CHAPTER 631.]

AN ACT

For the relief of Laura Goldwater.

June 18, 1934.  
[H.R. 4253.]  
[Private, No. 283.]

Laura Goldwater.  
Payment to, for per-  
sonal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura Goldwater the sum of \$5,000 for damages in full settlement of all claims against the Government of the United States, suffered*

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

**Penalty for violation.**

by her by reason of being struck and seriously injured by a Government mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 18, 1934.

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[CHAPTER 632.]

June 18, 1934.  
[H.R. 4387.]

[Private, No. 284.]

*Mary A. Rockwell.*  
Claim of.

*Proviso.*  
No prior benefits.

AN ACT

For the relief of Mary A. Rockwell.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Mary A. Rockwell on account of the death of her husband, Fred P. Rockwell, November 6, 1926, while employed by the Post Office Department as a railway mail clerk, in the same manner and to the same extent as if said Mary A. Rockwell had made application for the benefits of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, within the one-year period required by sections 17 and 20 thereof: Provided, That no benefits shall accrue prior to the approval of this Act.*

Approved, June 18, 1934.

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[CHAPTER 633.]

June 18, 1934.  
[H.R. 4446.]

[Private, No. 285.]

*E. E. Hall.*  
Payment to, for per-  
sonal injuries.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

**Penalty for violation.**

AN ACT

For the relief of E. E. Hall.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to E. E. Hall, Richmond, Virginia, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, in full settlement of all claims against the Government of the United States for personal injuries caused by a United States Army truck: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

## [CHAPTER 634.]

## AN ACT

For the relief of Carleton-Mace Engineering Corporation.

June 18, 1934.  
[H.R. 4659.]  
[Private, No. 286.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Carleton-Mace Engineering Corporation, of Boston, Massachusetts, on account of the extra cost of installing fire-protection system at the naval ammunition depot, Hingham, Massachusetts, under contract numbered 3808-B, which extra cost was occasioned by an embargo placed on freight by the United States Railroad Administration, thereby preventing the completion of the work under the above contract before cold weather set in, and to allow in full and final settlement of said claim such amount, not exceeding \$32,726.14, as the Comptroller General may find from the facts and the evidence submitted to him to be the actual amount of the extra cost occasioned by the said embargo. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$32,726.14, or so much thereof as may be necessary, to pay the amount herein authorized to be allowed.*

Approved, June 18, 1934.

Carleton-Mace Engineering Corporation.  
Claim for extra cost  
on contract to be settled.

Appropriation.

## [CHAPTER 635.]

## AN ACT

For the relief of Lyman D. Drake, Junior.

June 18, 1934.  
[H.R. 4670.]  
[Private, No. 287.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lyman D. Drake, Junior, of Miami, Florida, the sum of \$2,500, out of any money in the Treasury not otherwise appropriated, for personal injuries received while in the employ of and working upon the Panama Railroad and in connection with that service and in the employ of the Panama Canal Commission as brakeman upon the Panama Railroad: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

Lyman D. Drake,  
Junior.  
Payment to, for per-  
sonal injuries.Proviso.  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

## [CHAPTER 636.]

## AN ACT

For the relief of William J. Kenely.

June 18, 1934.  
[H.R. 5584.]  
[Private, No. 288.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and there is hereby appropriated for such payment, to William J.*

William J. Kenely.  
Payment to, for per-  
sonal injuries.

*Kenely* the sum of \$500 in full settlement of all claims against the Government of the United States for personal injuries caused through being struck by a bullet fired by one of a detachment of United States marines engaged in target practice, no warning of which was given, as is usual for the safety of passenger and other vessels plying the waters adjacent to Fort Hancock and Sandy Hook, New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

**Penalty for violation.**

Approved, June 18, 1934.

**[CHAPTER 637.]****AN ACT**

June 18, 1934.  
[H.R. 5809.]

[Private, No. 289.]

Robert Rayford Wilcoxson.  
Benefits of Employees' Compensation Act extended to. Vol. 39, p. 743.

**Proviso.**  
**Pay, etc. basis.**

To provide compensation for Robert Rayford Wilcoxson for injuries received in Citizens' Military Training Camp.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Employees' Compensation Commission be, and it is hereby, directed to apply and extend the provisions, benefits, and privileges of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, to the case of Robert Rayford Wilcoxson on account of injury suffered by him on June 20, 1931, while a student at the Citizens' Military Training Camp at Fort Oglethorpe, Georgia, effective from said June 20, 1931: *Provided*, That, for the purposes of this Act, the pay and allowances of said Robert Rayford Wilcoxson at the time of his said injury shall be considered as having been \$150 per month.

Approved, June 18, 1934.

**[CHAPTER 638.]****AN ACT**

For the relief of Mabel Carver.

June 18, 1934.  
[H.R. 6324.]

[Private, No. 290.]

Mabel Carver.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mabel Carver the sum of \$2,500 in full settlement of all claims against the United States for injuries sustained on August 24, 1929, as a result of being shot by a United States Marine while visiting the United States navy yard at Philadelphia, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive

any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 18, 1934.

## [CHAPTER 639.]

## AN ACT

For the relief of Arthur Smith.

June 18, 1934.  
[H.R. 6350.]

[Private, No. 291.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur Smith, of Bangor, Maine, the sum of \$210.35 in full settlement of all claims against the Government of the United States for the loss of private property on August 27, 1919, in connection with the operation and maintenance of the United States Army: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Arthur Smith.  
Compensation, for  
property loss.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

## [CHAPTER 640.]

## AN ACT

For the relief of William T. Roche.

June 18, 1934.  
[H.R. 6696.]

[Private, No. 292.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William T. Roche, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000, as full compensation to said William T. Roche for the loss of both hands as a result of freezing, without negligence on his part, while he was engaged in the regular performance of his duties as rural mail carrier in Sac County, State of Iowa: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

William T. Roche.  
Payment to, for personal injuries.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

## [CHAPTER 641.]

## AN ACT

For the relief of Captain Frank J. McCormack.

June 18, 1934.

[H.R. 6998.]

[Private, No. 293.]

Captain Frank J.  
McCormack.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,813.79 in full settlement of all claims against the Government of the United States to Captain Frank J. McCormack, said sum representing deduction in pay while in the Quartermaster Corps, United States Army: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

## [CHAPTER 642.]

## AN ACT

For the relief of Saint Anthony's Hospital at Michigan City, Indiana; Doctor Russell A. Gilmore; Emily Molzen, nurse; and the Hummer Mortuary.

Saint Anthony's  
Hospital, etc.  
Payment to, for professional services.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the naval hospital fund to Saint Anthony's Hospital at Michigan City, Indiana, the sum of \$224.30; to Doctor Russell A. Gilmore, the sum of \$170; to Emily Molzen, nurse, the sum of \$203; and to the Hummer Mortuary, the sum of \$10; in all, \$607.30, in full settlement of all claims against the Government of the United States for services and professional treatment rendered to Max Harmon Connelly, fireman, third-class (F-1), United States Naval Reserve, while ill with typhoid fever contracted during the period from August 8 to August 22, 1931, while on active duty: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 18, 1934.

## [CHAPTER 643.]

## AN ACT

Authorizing the Secretary of the Treasury to pay Doctor A. W. Pearson, of Peever, South Dakota, and the Peabody Hospital, at Webster, South Dakota, for medical services and supplies furnished to Indians.

June 18, 1934.

[H.R. 721.]  
[Private, No. 295.]

Doctor A. W. Pearson,  
etc.  
Payment to, for medical services and supplies.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,764.40 to Doctor A. W. Pearson, of Peever, South Dakota, and the sum of \$11,675.97 to the Peabody Hospital, at Webster, South Dakota, or as much thereof as is necessary, in full and final settlement waiving all liens and claims they hold against the Indians' property for medical services and supplies furnished to indigent Indians of the Sisseton Agency in South Dakota during the fiscal years 1920 to 1931, inclusive, such services and supplies having been furnished with the knowledge and approval of the superintendent in charge of the said reservation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 18, 1934.

## [CHAPTER 644.]

## AN ACT

For the relief of J. B. Hudson.

June 18, 1934.  
[H.R. 7230.]

[Private, No. 296.]

J. B. Hudson.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$250 to J. B. Hudson, said sum representing deduction in pay while a sergeant in the United States Army.

Approved, June 18, 1934.

## [CHAPTER 645.]

## AN ACT

For the relief of John W. Adair.

June 18, 1934.  
[H.R. 7272.]

[Private, No. 297.]

John W. Adair.  
Provisions of Employees' Compensation Act extended to Vol. 39, p. 744.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", are hereby extended to John W. Adair, of Pinetop, Arizona, for the death of his son, John Robin Adair, who lost his life on June 21, 1916, while fighting a forest fire on the Fort Apache Indian Reservation; and the United States Employees' Compensation Commission is authorized and directed to pay compensation to John W. Adair as a partial dependent parent at the rate of \$30 per month for a period of eight years from and after the passage of this Act: *Provided*, That no compensation shall be held to have accrued prior to

Monthly payments authorized.

Proviso.  
No back pay.

*Limitation on attorney's, etc., fees.*

*Penalty for violation.*

the passage of this Act and the payments above provided for shall be in full settlement of all claims against the United States: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 18, 1934.

[CHAPTER 646.]

AN ACT

June 18, 1934.

[H.R. 8115.]

[Private, No. 298.]

For the relief of May L. Marshall, administratrix of the estate of Jerry A. Litchfield.

*Jerry A. Litchfield.  
Payment to administratrix of estate of.*

*Proviso.  
Limitation on attorney's, etc., fees.*

*Penalty for violation.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$5,000 to May L. Marshall, administratrix of the estate of Jerry A. Litchfield, who was killed on the night of December 7, 1925, in a collision between the barge Pine Grove and the highway bridge at Coinjock, North Carolina, while said bridge was owned and operated by the United States, and by the lowering of the draw of said bridge on the pilot house of the barge Pine Grove, in which said Jerry A. Litchfield was a passenger: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to, or received by, any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive, any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.*

SEC. 2. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 18, 1934.

[CHAPTER 647.]

JOINT RESOLUTION

June 18, 1934.  
[S.J. Res. 117.]  
[Priv. Res., No. 2.]

Authorizing the President of the United States to present the Distinguished Flying Cross to Emory B. Bronte.

*Emory B. Bronte.  
Distinguished Flying  
Cross to be presented  
to.*

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to present the Distinguished Flying Cross to Emory B. Bronte, of San Francisco, California, in recognition of his heroic courage and great skill as a navigator on the second successful airplane flight from California to the Hawaiian Islands, made under extremely adverse weather conditions in twenty-five hours, two minutes, on July 14 and 15, 1927.*

Approved, June 18, 1934.

## [CHAPTER 678.]

## AN ACT

For the relief of John T. Garity.

June 19, 1934.  
[S. 3096.]

[Private, No. 299.]

Whereas John T. Garity of Savannah, Georgia, became surety upon the supersedeas bond of Wilson Jenkins in the sum of \$15,000 to secure the appearance of the said Wilson Jenkins pending a decision on a writ of appeal from the Circuit Court of Appeals of the United States; and

Whereas said Wilson Jenkins failed to answer to the final judgment rendered in said case; and

Whereas the bond signed by the said John T. Garity as surety for the said Wilson Jenkins was forfeited and estreated; and

Whereas the said John T. Garity paid \$2,500 in May 1933 on account of said forfeiture as part payment on said bond; and

Whereas the said Wilson Jenkins was apprehended on June 7, 1933, and then incarcerated in the Federal penitentiary in Atlanta, Georgia, and is now in the custody and control of the prison authorities of the United States Government and is serving the sentence for which said bond signed by the said John T. Garity as surety was given for the appearance of said Wilson Jenkins; and

Whereas said \$2,500 paid on said bond is more than sufficient to defray any expense incurred by the United States Government in connection with the apprehension of said Wilson Jenkins:

Therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John T. Garity be, and he is hereby, relieved from all further liability as surety on the supersedeas bond signed by said John T. Garity for the appearance of Wilson Jenkins pending a writ of error from the Circuit Court of Appeals for the Fifth Circuit to answer to a sentence and final judgment which had been imposed by the United States District Court for the Southern District of Georgia, Savannah division, said bond dated March 29, 1930, and which sentence he is now serving.*

Relief from further liability as surety on bond.

Approved, June 19, 1934.

## [CHAPTER 679.]

## AN ACT

To refund to Caroline M. Eagan income tax erroneously and illegally collected.

June 19, 1934.  
[H.R. 194.]

[Private, No. 300.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund and pay, out of any money in the Treasury not otherwise appropriated, to Caroline M. Eagan, Eagan Apartment, Board Walk and Florida Avenue, Atlantic City, New Jersey, the sum of \$10,950.19 for income tax erroneously and illegally collected from her for the calendar year 1925: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any*

Caroline M. Eagan.  
Refund of erroneously collected income tax.

Proviso.  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 19, 1934.

**[CHAPTER 680.]****AN ACT**

June 19, 1934.  
[H.R. 2418.]

[Private, No. 301.]

For the relief of certain claimants at Leavenworth, Kansas, occasioned through damage to property inflicted by escaping prisoners.

Leavenworth, Kans.,  
penitentiary.

Payments to certain  
claimants for damages  
caused by escaping  
prisoners.

**Appropriation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Elizabeth Phillips, in the amount of \$55; Joseph M. Kressin, in the amount of \$63.30; Joseph Verlinde, in the amount of \$4.95, all arising through damages to personal property occasioned by the escape of seven prisoners from the United States penitentiary at Leavenworth, Kansas, on December 11, 1931. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$123.75, or so much thereof as may be necessary, for the payment of these claims.*

Approved, June 19, 1934.

**[CHAPTER 681.]****AN ACT**

June 19, 1934.  
[H.R. 3243.]

[Private, No. 302.]

For the relief of Harry E. Good, administrator de bonis non of the estate of Ephraim N. Good, deceased.

Ephraim N. Good.  
Redemption of stolen  
Liberty bonds in favor  
of estate of.

Provisos.  
Condition.

Indemnity bond.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Harry E. Good, of Winamac, Indiana, administrator de bonis non of the estate of Ephraim N. Good, deceased, United States registered bonds numbered 650051, 650052, in the denomination of \$100 each, and numbered 122336 in the denomination of \$1,000, of the third Liberty loan 4 $\frac{1}{4}$  per centum bonds of 1928, inscribed "Ephraim N. Good", with interest from March 15, 1928, to September 15, 1928, without presentation of the bonds, said bonds having been assigned in blank by the heirs of the payee, and subsequently stolen from the First State Bank, Star City, Indiana: *Provided*, That said bonds shall not have been presented to the Treasury Department for payment: *Provided, further*, That said Harry E. Good shall first file with the Treasury Department a bond in the penal sum of double the amount of the principal of the said bonds and the final interest thereon payable September 15, 1928, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any loss on account of the bonds herein described.*

Approved, June 19, 1934.

## [CHAPTER 682.]

## AN ACT

For the relief of Shelby J. Beene, Mrs. Shelby J. Beene, Leroy T. Waller, and June 19, 1934.  
[H.R. 5736.]  
[Private, No. 303.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Shelby J. Beene the sum of \$14,739.58, to Mrs. Shelby J. Beene the sum of \$15,227.80, and to Leroy T. Waller and Mrs. Leroy T. Waller each the sum of \$14,531.79, together with interest at the rate of 6 per centum per annum thereon in each case from December 28, 1929, to the date of making payment under this Act. Such sums represent overpayments of income taxes made (under protest) on such date by the said persons for the years 1921 and 1922. The said persons were four of forty-eight partners composing a partnership each member of which was assessed with deficiency assessments for 1921 and 1922. Depletion on account of certain bonuses and advanced royalties received by the partnership was not allowed and each partner's taxable income was correspondingly increased. Forty-four of the partners paid under protest and entered suits for refunds. The other four partners named in this Act appealed from the deficiency assessment, but the Board of Tax Appeals and Circuit Court of Appeals, Fifth Circuit maintained the validity of the assessments as to them, and the United States Supreme Court refused to grant them writs of certiorari. Subsequently the United States Supreme Court in the case of Palmer against Bender (287 U.S. 551) (being the consolidated suits of the forty-four remaining partners before the Supreme Court on writs of certiorari to the Circuit Court of Appeals, Fifth Circuit) held that the depletion claimed by the partnership should have been allowed, and the forty-four partners were allowed refunds accordingly. The four partners' claims for refunds involved the same facts and law as those of the forty-four partners: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 19, 1934.

Shelby J. Beene, etc.  
Refunds of overpay-  
ments of income tax,  
authorized.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

## [CHAPTER 683.]

## AN ACT

Authorizing adjustment of the claim of the Western Union Telegraph Company. June 19, 1934.  
[H.R. 5947.]  
[Private, No. 304.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Western Union Telegraph Company for refund of certain overpayment of rent in 1931, amounting to \$512.22, under its license Numbered Miscellaneous 12293, dated February 17, 1923, for the use of certain War Department submarine telegraph cables Numbered 336 and 462, between*

Western Union Tele-  
graph Company.  
Refund of certain  
rent overpayment.

**Appropriation.**

Fort Stevens, Oregon, Fort Columbia and Fort Canby, Washington, and to allow in full and final settlement of said claim not to exceed the sum of \$512.22. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$512.22, or so much thereof as may be necessary, for the payment of said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

**Penalty for violation.**

Approved, June 19, 1934.

**[CHAPTER 684.]****AN ACT**

For the relief of Charles Farr.

June 19, 1934.  
[H.R. 6625.]

[Private, No. 305.]  
  
Charles Farr.  
Redemption of lost  
Liberty bond in favor  
of.

**Proviso.  
Condition.****Indemnity bond.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Charles Farr, of Greeley, Colorado, temporary coupon bond numbered 156241, of the Third Liberty Loan of 1928, in the denomination of \$1,000, with interest from March 15, 1920, to September 15, 1928, at the rate of 4 1/4 per centum per annum, without presentation of the bond, said bond having been alleged to have been inadvertently destroyed by fire: Provided, That the said bond shall not have been previously presented to the Department: And provided further, That the said Charles Farr shall first file in the United States Treasury Department a bond in the penal sum of double the amount of the principal of such missing bond and of the interest thereon from March 15, 1920, to September 15, 1928, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the bond hereinbefore described.*

Approved, June 19, 1934.

**[CHAPTER 685.]****AN ACT**

For the relief of Royce Wells.

June 19, 1934.  
[H.R. 7387.]

[Private, No. 306.]  
  
Royce Wells.  
Payment to, for per-  
sonal injury.

**Proviso.  
Limitation on attor-  
ney's, etc., fees.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Royce Wells the sum of \$1,500 in full settlement for personal injury sustained by Royce Wells by reason of the explosion of a bomb under the direction of the war-loan organization of the eighth Federal Reserve district in connection with a Victory-loan drive at De Soto, Missouri: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in*

connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 19, 1934.

[CHAPTER 686.]

AN ACT

For the relief of Oswald H. Halford, Hunter M. Henry, William C. Horne, Rupert R. Johnson, David L. Lacey, William Z. Lee, Fenton F. Rodgers, Henry Freeman Seale, Felix M. Smith, Edwin C. Smith, Robert S. Sutherland, and Charles G. Ventress.

June 19, 1934.  
[H.R. 7816.]

[Private, No. 307.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, in full settlement of all claims against the Government of the United States, to Oswald H. Halford, bugler (1599067), \$76.63; Hunter M. Henry, private, first-class (1599070), \$192.13; William C. Horne, wagoner (1599034), \$226.77; Rupert R. Johnson, corporal (1599036), \$220.94; David L. Lacey, private, first-class (1599038), \$214.73; William Z. Lee, private (1599080), \$203.60; Fenton F. Rodgers, private (1599092), \$151.47; Henry Freeman Seale, wagoner (1599094), \$193.17; Felix M. Smith, private (1599021), \$193.38; Edwin C. Smith, private, first-class (1599047), \$79.80; Robert S. Sutherland, bugler (1599102), \$78.55; Charles G. Ventress, sergeant (1599107), \$253.06; being amount of salary deducted on account of general court-martial sentences June 1918: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Oswald H. Halford,  
etc.  
Payments to, for cer-  
tain salary reductions.

Approved, June 19, 1934.

Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

[CHAPTER 697.]

AN ACT

For the relief of George J. Bloxham.

June 21, 1934.  
[S. 1118.]

[Private, No. 308.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and is hereby, authorized and directed to credit the account of George J. Bloxham, postmaster at Sheldon, Iowa, in the sum of \$53.90 due the United States on account of the loss resulting from the closing of the First National Bank of Sheldon, Iowa.

George J. Bloxham.  
Credit in postal ac-  
counts.

Approved, June 21, 1934.

## [CHAPTER 698.]

June 21, 1934.

[S. 1119.]

[Private, No. 309.]

Fred A. Robinson.  
Credit in postal ac-  
counts.

## AN ACT

For the relief of Fred A. Robinson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and is hereby, authorized and directed to credit the account of Fred A. Robinson, postmaster at Estherville, Iowa, in the sum of \$65.05, due the United States on account of the loss resulting from the closing of the First National Bank of Estherville, Iowa.*

Approved, June 21, 1934.

## [CHAPTER 699.]

June 21, 1934.

[S. 1600.]

[Private, No. 310.]

S. G. Mortimer.  
Credit in postal ac-  
counts.

## AN ACT

For the relief of S. G. Mortimer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to credit the accounts of S. G. Mortimer, postmaster at Belle Fourche, South Dakota, in the amount of \$178.92, such sum representing certain amounts charged against the said S. G. Mortimer by reason of his deposit of funds of the United States in the First National Bank of Belle Fourche, South Dakota, and the subsequent closing of such bank.*

Approved, June 21, 1934.

## [CHAPTER 700.]

June 21, 1934.

[S. 2627.]

Arvin C. Sands.  
Credit in postal ac-  
counts.

## AN ACT

For the relief of Arvin C. Sands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow and credit to the accounts of Arvin C. Sands, postmaster at Mallard, Iowa, the sum of \$78.21, being the amount due the United States on account of loss resulting from the closing in 1927 of the First National Bank of Mallard, Iowa.*

Approved, June 21, 1934.

## [CHAPTER 701.]

June 21, 1934.

[H. R. 541.]

[Private, No. 312.]

John P. Leonard.  
Military record cor-  
rected.

## AN ACT

For the relief of John P. Leonard.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John P. Leonard, late of Company I<sup>1</sup>, Eighteenth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of said Company L, Eighteenth Regiment United States Infantry, on the 31st day of December 1901: Provided, That no bounty, pension, back pay, or allowances shall be held to have accrued prior to the passage of this Act.*

Approved, June 21, 1934.

Proviso.  
No back pay, etc.<sup>1</sup> So in original.

## [CHAPTER 702.]

## AN ACT

For the relief of Frank Salisbury, executor of the estate of Emerson C. Salisbury, deceased.

June 21, 1934.

[H.R. 2414.]

[Private, No. 313.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Frank Salisbury, executor of the estate of Emerson C. Salisbury, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500, as full compensation for damages to his property on December 11, 1931, when three Federal prisoners escaped from the United States penitentiary at Leavenworth, Kansas, and barricaded themselves in the house which was bombarded by the posse seeking the escaped prisoners: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Emerson C. Salisbury.  
Payment to estate of,  
for property damages.

Approved, June 21, 1934.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 703.]

## AN ACT

For the relief of William G. Burress, deceased.

June 21, 1934.

[H.R. 2430.]

[Private, No. 314.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William G. Burress, who was a member of Company A, Eleventh Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 7th day of March 1897: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

William G. Burress.  
Military record corrected.

Approved, June 21, 1934.

Proviso.  
No back pay, etc.

## [CHAPTER 704.]

## AN ACT

For the relief of Paul Jelna.

June 21, 1934.

[H.R. 3032.]

[Private, No. 315.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, their widows or dependent relatives, Paul Jelna, who was a private of Company A, Twenty-ninth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on November 30, 1902: *Provided*, That no back pay, pension, or other emolument shall accrue prior to the passage of this Act.

Paul Jelna.  
Military record corrected.

Approved, June 21, 1934.

Proviso.  
No back pay, etc.

## [CHAPTER 705.]

June 21, 1934.  
[H.R. 3296.]

[Private, No. 316.]

Carl F. Castleberry.  
Certain limitations of  
Employees' Compensation  
Act waived in  
favor of.  
Vol. 39, pp. 746, 747.  
U.S.C., p. 79.

*Proviso.*  
No prior benefit.

## AN ACT

For the relief of Carl F. Castleberry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U.S.C., title 5, secs. 767 and 770), are hereby waived in favor of Carl F. Castleberry, a former employee of the Railway Mail Service: Provided, That no benefit shall accrue hereunder until after the enactment of this Act.*

Approved, June 21, 1934.

## [CHAPTER 706.]

June 21, 1934.  
[H.R. 4579.]

[Private, No. 317.]

Doctor Charles T.  
Granger.  
Payment to, for pro-  
fessional services.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Department of the Interior be, and he is hereby, authorized and directed to pay, out of funds of the Chippewa Indians of Minnesota and in full settlement against the Government, the sum of \$290 to Doctor Charles T. Granger for hospitalization and medical services rendered Joseph Abbott, an Indian patient at the Granger Hospital, McGregor, Minnesota.*

Approved, June 21, 1934.

## [CHAPTER 707.]

June 21, 1934.  
[H.R. 4838.]

[Private, No. 318.]

Massachusetts Bond-  
ing and Insurance  
Company.  
Payment to, on ac-  
count of certain unpaid  
money orders.

*Proviso.*  
Indemnity bond.

Limitation on attor-  
ney's, etc., fees.

## AN ACT

For the relief of the Massachusetts Bonding and Insurance Company, a corporation organized and existing under the laws of the State of Massachusetts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be, and he is hereby, authorized and directed to pay to the Massachusetts Bonding and Insurance Company, a corporation organized under the laws of the State of Massachusetts, out of the fund credited to unpaid money orders more than one year old, the sum of \$22,216.47, being the aggregate of three thousand four hundred and eighteen money orders made payable to Philipsborn's, The Outer Garment House, and endorsed and made payable to the National Bank of the Republic, and stolen from said Philipsborn's on December 11, 1919, and never recovered or paid, which sum the Massachusetts Bonding and Insurance Company paid to said Philipsborn's under its contract of indemnity, and become subrogated to the rights of Philipsborn's as the payee of said money orders: Provided, That the said Massachusetts Bonding and Insurance Company shall first file in the Post Office Department of the United States a bond in the penal sum of \$44,432.94, without limitation on the period of liability, with such surety or sureties as may be acceptable to the Postmaster General, to indemnify and save harmless the United States from any loss on account of the stolen postal money orders herein described: Provided further, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or*

attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 21, 1934.

## [CHAPTER 708.]

## AN ACT

For the relief of the Dallas County Chapter of the American Red Cross.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$541.33 in full settlement of all claims against the Government of the United States to the Dallas County Chapter of the American Red Cross as reimbursement of amount paid by virtue of their endorsement of Government check erroneously issued to one Fannie Hilliard: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

June 21, 1934.  
[H.R. 7963.]

[Private, No. 819.]

Dallas County Chapter, American Red Cross.  
Reimbursement to.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 21, 1934.

## [CHAPTER 721.]

## AN ACT

To grant permission to the Willard Family Association to erect a tablet at Fort Devens, Massachusetts.

June 22, 1934.  
[S. 3628.]

[Private, No. 320.]

Willard Family Association.  
May erect tablet at Fort Devens, Mass.

No Federal expense.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to grant permission to the Willard Family Association to erect an appropriate tablet at Fort Devens, Massachusetts, on the site of the farm formerly owned by Major Simon Willard, but the United States shall not be put to any expense in or by the erection thereof.*

Approved, June 22, 1934.

## [CHAPTER 722.]

## AN ACT

For the relief of Wade Dean.

June 22, 1934.  
[H.R. 740.]

[Private, No. 321.]

Wade Dean.  
Claim of.  
Vol. 39, pp. 746, 747.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to waive the statute of limitations in the application filed by Wade Dean, an employee in the post office*

*Proviso.*  
No prior benefits.

at Stewart, Ohio, as to the provision of an Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, in order that he may receive the same consideration as though he has applied within the specified time required by law: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 22, 1934.

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[CHAPTER 723.]

June 22, 1934.  
(H.R. 1354.)  
[Private, No. 322.]

O. V. Mason.  
Payment to.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

AN ACT  
For the relief of C. V. Mason.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to C. V. Mason, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government of the United States, the sum of \$1,206.76, representing expenses incurred by him as a result of the death and burial of his son, Dwight D. Mason, who died as a result of injuries received while employed as a teacher of manual training at Kanakanak Industrial School in Alaska on December 30, 1931: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 22, 1934.

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[CHAPTER 724.]

June 22, 1934.  
(H.R. 3705.)  
[Private, No. 323.]

Julia E. Smith.  
Compensation, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

AN ACT  
For the relief of Julia E. Smith.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 to Julia E. Smith in full settlement of all claims against the United States because of personal injuries sustained by the said Julia E. Smith when struck and injured on or about October 13, 1925, in the city of Boston, Massachusetts, by a motor truck owned and operated by the Post Office Department of the United States: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary*

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 22, 1934.

[CHAPTER 725.]

AN ACT  
For the relief of Gustav Welhoelter.

June 22, 1934.  
[H. R. 3791.]

[Private, No. 324.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$900 to Gustav Welhoelter, assistant superintendent of the Fox Creek post-office station, Detroit, Michigan. Said sum represents the amount paid by said Gustav Welhoelter to the United States Government to make up the deficit in the accounts of the Fox Creek station, which deficit was caused by robbery or burglary of said post office: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Gustav Welhoelter.  
Repayment for  
stolen postal funds.

*Proviso.  
Limitation on attorney's, etc., fees.*

Penalty for violation.

Approved, June 22, 1934.

[CHAPTER 726.]

AN ACT  
For the relief of Anthony Hogue.

June 22, 1934.  
[H. R. 3793.]

[Private, No. 325.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$600 to Anthony Hogue, formerly finance clerk of the Fox Creek post-office station, Detroit, Michigan. Said sum represents the amount paid by said Anthony Hogue to the United States Government to make up the deficit in the accounts of the Fox Creek station, which deficit was caused by robbery or burglary of said post office: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Anthony Hogue.  
Repayment of cer-  
tain stolen postal  
funds.

*Proviso.  
Limitation on attorney's, etc., fees.*

Penalty for violation.

Approved, June 22, 1934.

## [CHAPTER 727.]

## AN ACT

For the relief of Edith L. Peeps.

June 22, 1934.

[H.R. 5031.]

[Private, No. 326.]

**Edith L. Peeps.**  
Payment to, for personal injuries.

**Proviso.**  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Edith L. Peeps in full settlement of all claims against the Government of the United States for injuries sustained by reason of the negligence on the part of a special-delivery messenger of the Milwaukee (Wisconsin) post office whose truck struck and injured the said Edith L. Peeps, without fault or negligence on her part, October 30, 1931: Provided, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$1,000.*

Approved, June 22, 1934.

## [CHAPTER 728.]

## AN ACT

For the relief of W. R. McLeod.

June 22, 1934.

[H.R. 5606.]

[Private, No. 327.]

**W. R. McLeod.**  
Reimbursement for loss of postal funds.

**Proviso.**  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200, and when appropriated the Treasurer of the United States is hereby authorized and directed to pay same to W. R. McLeod, postmaster at Apopka, Florida, to reimburse him in the amount of postal funds stolen from the post office by burglars: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 22, 1934.

## [CHAPTER 729.]

## AN ACT

For the relief of M. R. Welty.

June 22, 1934.

[H.R. 6238.]

[Private, No. 328.]

**M. R. Welty.**  
Payment to, for property damages.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,*

to M. R. Welty the sum of \$750 for damages to his automobile by a mail truck belonging to the Government: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Approved, June 22, 1934.

Penalty for violation.

[CHAPTER 730.]

AN ACT  
For the relief of John R. Novak.

June 22, 1934.  
[H.R. 6284.]  
[Private, No. 329.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John R. Novak the sum of \$4,000 in full settlement of all claims against the Government of the United States for fatal injuries sustained by his daughter, La Verne Novak, by an automobile truck owned and operated by the Post Office Department, on February 20, 1932, at the northeast corner of Fulton and Green Streets, Chicago, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*John R. Novak.*  
Payment to, for fatal  
injuries to daughter.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 22, 1934.

[CHAPTER 731.]

AN ACT  
For the relief of James Henry Green.

June 22, 1934.  
[H.R. 6497.]  
[Private, No. 330.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers James Henry Green, deceased, who was a member of the Forty-third Ohio Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 9th day of April 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

*James Henry Green.*  
Military record cor-  
rected.

*Proviso.*  
No back pay, etc.

Approved, June 22, 1934.

## [CHAPTER 732.]

June 22, 1934.

[H.R. 7372.]

[Private, No. 331.]

**Donald K. Warner.**  
Payment to, for loss  
of postal funds.

**Proviso.**  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

## AN ACT

For the relief of Donald K. Warner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to Donald K. Warner, former postmaster at Oakdale, Nebraska, the sum of \$869.17, being the amount of stamps and postal funds lost in the burglary of the post office on the night of December 13, 1928: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 22, 1934.

## [CHAPTER 733.]

## AN ACT

For the relief of Jeannette Weir.

**Jeannette Weir.**  
Payment to, for personal injuries.

**Proviso.**  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, in full settlement of all claims against the Government of the United States, to Jeannette Weir for injuries sustained by being struck by a United States mail truck January 4, 1922: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 22, 1934.

## [CHAPTER 734.]

## AN ACT

For the relief of Ralph LaVern Walker.

**Ralph L. A V E R N**  
Walker.  
Payment to guardian, for loss of arm, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, the sum of \$500 to the legal guardian of Ralph LaVern Walker for the loss of his arm and other injuries as the result of an explosion of a cap on the site of Camp Gordon on February 23, 1929.*

SEC. 2. That the United States Employees' Compensation Commission be, and it is hereby authorized and directed to pay to the legal guardian of Ralph LaVern Walker the sum of \$50 per month, beginning with the passage of this Act and continuing for the period of eight years: *Provided*, That no part of the amount appropriated in this Act in excess of \$100 shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of \$100 on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000: *Provided further*, That the above amounts shall be in full settlement against the Government.

*Monthly disability payments authorized.*

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

*Payment to be in full settlement.*

Approved, June 22, 1934.

[CHAPTER 737.]

AN ACT

For the relief of M. N. Lipinski.

June 24, 1934.  
[H. R. 7264.]

[Private, No. 334.]

M. N. Lipinski.  
Reimbursement for loss of livestock.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full and complete settlement, to M. N. Lipinski the sum of \$1,100 as reimbursement for damages sustained in the losses of livestock by poisoning as the result of weed-killing experiments conducted by the Bureau of Fisheries of the Department of Commerce on premises used for pasture purposes by M. N. Lipinski: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 24, 1934.

[CHAPTER 738.]

AN ACT

For the relief of Arthur A. Burn, Senior, and J. K. Ryland.

June 24, 1934.  
[H. R. 7631.]

[Private, No. 335.]

Arthur A. Burn,  
Senior, and J. K.  
Ryland.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Arthur A. Burn, Senior, of Daufuskie Island, South Carolina, the sum of \$5,000; and to J. K. Ryland, of Bermuda, Alabama, the sum of \$4,246.06, the same being in full satisfaction of any claim they may have against the United States Government on account of the death of Arthur A. Burn, Junior, and J. B. Ryland as a result of having been sent to sea in an admittedly unseaworthy boat or skiff while employed in the United States Coast and Geodetic

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

Survey near Saint Petersburg, Florida, February 3, 1926: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 24, 1934.

[CHAPTER 739.]

AN ACT

For the relief of the heirs of C. K. Bowen, deceased.

C. K. Bowen.  
Payment to certain  
heirs of.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mary E. Christenson, Houston, Texas; Mrs. F. N. Heiman, Seabrook, Texas; Mrs. A. B. Christenson, Burbank, California; and C. K. Bowen, Burbank, California, heirs of C. K. Bowen, deceased, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$450.50, for damages sustained by the said heirs of the said C. K. Bowen, deceased, who lost his life during the hurricane of September 8, 1900, when the light station at Halfmoon Shoal, Texas, was demolished, and the said C. K. Bowen, deceased, was drowned, as shown by Public Document Numbered 103 of the Fifty-seventh Congress, first session, dated December 7, 1901: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 24, 1934.

[CHAPTER 744.]

AN ACT

For the relief of Robert Rayl.

Robert Rayl.  
Desert land patent  
issued to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to Robert Rayl on desert-land entry, Blackfoot, Idaho, numbered 039881, entered by him November 17, 1925, for the northwest quarter, and the west half southwest quarter section 15, township 11 south, range 17 east, Boise (Idaho) meridian.

Approved, June 25, 1934.

June 25, 1934.  
[S. 3562.]

[Private, No. 337.]

## [CHAPTER 745.]

## AN ACT

For the relief of Mrs. George Logan and her minor children, Lewis and Barbara Logan.

June 25, 1934.  
[H. R. 2416.]  
[Private, No. 338.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to Mrs. George Logan and her minor children, Lewis and Barbara Logan, as dependents of George Logan (deceased), who sustained injuries in line of duty and later died of such injuries, which were received while on duty as a prison guard at Fort Leavenworth, Kansas.*

George Logan.  
Payment to dependents, for fatal injury to.

Approved, June 25, 1934.

## [CHAPTER 746.]

## AN ACT

For the relief of Thelma Lucy Rounds.

June 25, 1934.  
[H. R. 3636.]  
[Private, No. 339.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$270.28 to Thelma Lucy Rounds, Fall River, Massachusetts, in full settlement of all claims against the Government of the United States for injuries received while visiting the United States Ship Bridge at Newport, Rhode Island, on July 12, 1931, when an enlisted man showing visitors a revolver fired a shot through Miss Rounds's leg, causing injuries which resulted in a long period of unemployment: Provided, That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Thelma Lucy  
Rounds.  
Compensation for personal injuries.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 25, 1934.

## [CHAPTER 747.]

## AN ACT

For the relief of Theodore W. Beland.

June 25, 1934.  
[H. R. 4952.]  
[Private, No. 340.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$32.30 to Theodore W. Beland, an employee of the Lighthouse Service, in full and final settlement for expenses incurred in the operation of a privately owned automobile on Government business during April 1929.*

Theodore W. Beland.  
Payment to.

Approved, June 25, 1934.

## [CHAPTER 748.]

## AN ACT

June 25, 1934.

[H.R. 6322.]

[Private, No. 341.]

Woods Hole, Mass.  
Certain Government  
land at, leased to  
Woods Hole Yacht  
Club, Incorporated.

Description.

*Proviso.*  
Subject to waivers,  
etc.

United States inter-  
est not divested.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce be, and he hereby is, authorized and directed to lease—for such period and on such terms as the Secretary shall deem advisable—to the Woods Hole Yacht Club, Incorporated, of Woods Hole, Massachusetts, that portion of the land owned by the United States Government, at Penzance Point, or Long Neck, Woods Hole, bounded and described as follows, namely: Side A, from boundary mark in direction two hundred and twenty-four degrees fourteen minutes forty-five seconds true, a distance of ninety feet, which comes to high-water mark; side B, from boundary mark in direction one hundred and eleven degrees fourteen minutes forty-five seconds true, a distance of two hundred and fifteen feet; side C, from easterly end of side B in direction one hundred and ninety degrees twenty-nine minutes fifteen seconds true, a distance of seventy-four feet, which comes to the high-water mark; side D, from the southerly end of side C in a westerly direction along the irregular high-water line to the southerly end of side A and including the rocks lying offshore: Provided, however, That the Secretary shall not execute such lease unless and until all persons who have any interest in said premises under the provisions of the deed of gift conveying to the United States the land of which said parcel is a part, and any Act relating to the conveyance of such premises to the United States, shall have waived and released for the term of such lease all their right, title, and interest therein, and shall consent that the said lease shall not operate to divest the United States of the title to said property or any part thereof.*

Approved, June 25, 1934.

## [CHAPTER 766.]

## AN ACT

June 26, 1934.

[S. 101.]

[Private, No. 342.]

*Robert Gray Fry.  
Military record cor-  
rected.*

*Proviso.  
No back pay, etc.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, benefits, and privileges upon honorably discharged soldiers Robert Gray Fry, deceased, shall be held and considered as having been honorably discharged from the military service of the United States on July 31, 1865, late of Company H, Twenty-eighth Regiment Iowa Volunteer Infantry: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, June 26, 1934.

## [CHAPTER 767.]

## AN ACT

For the relief of William Martin and John E. Walsh, Junior.

June 26, 1934.

[S. 173.]

[Private, No. 343.]

*William Martin and  
John E. Walsh, Junior.  
Refund of excess du-  
ties authorized.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William Martin and John E. Walsh, Junior, who have succeeded to and are the sole owners of all right, title, and interest of Martin-Walsh (Incorporated) in and to the within claim, out of any money in the Treasury not otherwise appropriated, the sum of \$4,221.50*

in full settlement of all claims against the United States. Such sum is the amount of excess duties levied and collected from Martin-Walsh (Incorporated) by the collector of the port of New York on thirty-one distinct entries covering importations of kraft wrapping paper from Sweden and Norway during the years 1922 and 1923: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 768.]

AN ACT

For the relief of John Hampshire.

June 26, 1934.  
[S. 265.]  
[Private, No. 344.]

John Hampshire.  
Compensation, for damages.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Hampshire, of Grants Pass, Oregon, the sum of \$32,715.81 in full satisfaction of his claim against the United States for damages resulting from the suspension of work under his contract with the United States Numbered I-1p-71, dated July 29, 1927, for road construction and improvement in Mount Rainier National Park in the State of Washington, such suspension having been made necessary by the failure to provide adequate appropriations to permit the continuance of the work in accordance with such contract: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 769.]

AN ACT

For the relief of the Edward F. Gruver Company.

June 26, 1934.  
[S. 336.]  
[Private, No. 345.]

Edward F. Gruver  
Company.  
Payment to.

Vol. 40, p. 1270.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States is authorized to adjust and settle the claim of the Edward F. Gruver Company in an amount not to exceed \$200 for leather labels furnished the Federal Radio Commission, notwithstanding any provision of law requiring such supplies to be obtained from the Government Printing Office.

Approved, June 26, 1934.

## [CHAPTER 770.]

June 26, 1934.

[S. 379.]

[Private, No. 346.]

**Frederick G. Barker.**  
Payment to, for personal injuries.

**Proviso.**  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

## AN ACT

For the relief of Frederick G. Barker.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frederick G. Barker, of Cleveland, Ohio, the sum of \$3,000 in full settlement of all claims against the Government of the United States for injuries received November 14, 1919, when a United States mail truck collided with him: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

## [CHAPTER 771.]

## AN ACT

For the relief of William H. Connors, alias John H. Connors, alias Michael W. H. Connors.

**William H. Connors,**  
alias John H. Connors,  
alias Michael W. H.  
Connors.

Military record corrected.

**Proviso.**  
No back pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William H. Connors, alias John H. Connors, alias Michael W. H. Connors, who was a member of Battery C, Sixth Regiment United States Field Artillery, Fort Bliss, Texas, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 14th day of October 1914: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, June 26, 1934.

## [CHAPTER 772.]

## AN ACT

For the relief of Norman Beier.

June 26, 1934.  
[S. 488.]

[Private, No. 348.]

**Norman Beier.**  
Compensation, for personal injuries.

**Proviso.**  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to Norman Beier, Brooklyn, New York, in full settlement of all claims against the Government of the United States for injuries sustained by him when struck by a truck of the Post Office Department: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It*

shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Penalty for violation.*

Approved, June 26, 1934.

[CHAPTER 773.]

AN ACT  
For the relief of Henry Poole.

June 26, 1934.  
[S. 521.]

[Private, No. 349.]

*Henry Poole.  
Military record corrected.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Henry Poole, who was a member of Company D, Seventeenth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 8th day of April 1899: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved. June 26, 1934.

*Proviso.  
No back pay, etc.*

[CHAPTER 774.]

AN ACT  
For the relief of A. W. Holland.

June 26, 1934.  
[S. 551.]

[Private, No. 350.]

*A. W. Holland.  
Compensation, for extra services.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$900 to A. W. Holland in payment of extra services as postmaster at Drumright, Oklahoma, a post office of the fourth class.*

Approved, June 26, 1934.

[CHAPTER 775.]

AN ACT  
For the relief of William G. Fulton.

June 26, 1934.  
[S. 740.]

*William G. Fulton.  
Payment to, for crop damages.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William G. Fulton, of Annapolis Junction, Maryland, out of any money in the Treasury not otherwise appropriated, the sum of \$1,528, in full settlement of all claims against the Government, for damage to crop on the Camp Meade Reservation, Maryland, for which he had entered into contract with the United States Army authorities at Camp Meade on May 18, 1922: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per*

*Proviso.  
Limitation on attorney's, etc., fees.*

**Penalty for violation.**

centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

**[CHAPTER 776.]**

June 26, 1934.  
[S. 879.]

[Private, No. 352.]

Howell K. Stephens.  
Military record cor-  
rected.

*Proviso.*  
No back pay, etc.

**AN ACT**

For the relief of Howell K. Stephens.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Howell K. Stephens, who was a private, Medical Department, United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 25th day of October 1919: Provided, That no back pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this Act.*

Approved, June 26, 1934.

**[CHAPTER 777.]**

June 26, 1934.  
[S. 1072.]

[Private, No. 353.]

Rufus J. Davis.  
Payment to, for per-  
sonal injuries.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

**Penalty for violation.**

**AN ACT**

For the relief of Rufus J. Davis.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rufus J. Davis, Hope Mills, North Carolina, the sum of \$1,223.50, in full settlement of all claims against the Government of the United States arising out of personal injuries sustained by him as the result of an accident involving a United States Army truck on North Carolina State highway numbered 22, on March 13, 1928: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

**[CHAPTER 778.]**

June 26, 1934.  
[S. 1161.]

[Private, No. 354.]

Alice E. Broas.  
Payment for personal  
injuries.

**AN ACT**

For the relief of Alice E. Broas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Alice E. Broas, of Chevy Chase, Maryland, as payment in full for personal injuries sustained by being struck by an*

automobile driven by Private Cyrus L. Scribner, United States Army, on April 22, 1931, at Washington, District of Columbia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

[CHAPTER 779.]

AN ACT

For the relief of Virginia Houghton.

June 26, 1934.  
[S. 1162.]

[Private, No. 355.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to Virginia Houghton, of Chevy Chase, Maryland, as payment in full for personal injuries sustained by being struck by an automobile driven by Private Cyrus L. Scribner, United States Army, on April 22, 1931, at Washington, District of Columbia: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Virginia Houghton.  
Payment for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

[CHAPTER 780.]

AN ACT

For the relief of Mary V. Spear.

June 26, 1934.  
[S. 1163.]

[Private, No. 356.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to Mary V. Spear, of Chevy Chase, Maryland, as payment in full for personal injuries sustained by being struck by an automobile driven by Private Cyrus L. Scribner, United States Army, on April 22, 1931, at Washington, District of Columbia: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10*

Mary V. Spear.  
Payment for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

**[CHAPTER 781.]****AN ACT**

For the relief of Elizabeth Millicent Trammell.

June 26, 1934.

[S. 1200.]

[Private, No. 357.]

H. Eric Trammell.  
Payment to widow of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to Elizabeth Millicent Trammell, widow of H. Eric Trammell, late third secretary of American Embassy at Rio de Janeiro, Brazil, the sum of \$3,000, equal to one year's salary of her deceased husband.*

Approved, June 26, 1934.

**[CHAPTER 782.]****AN ACT**

For the relief of Charles F. Littlepage.

June 26, 1934.

[S. 1258.]

[Private, No. 358.]

Charles F. Littlepage.  
Compensation for  
personal injuries.

*Proviso.*  
Trustee to be ap-  
pointed.  
Reimbursing hospi-  
tal, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles F. Littlepage, of Charleston, West Virginia, the sum of \$50 per month from December 14, 1931, in an amount not to exceed \$3,000, in full satisfaction of his claim against the United States for injuries suffered when struck by a United States mail truck at Charleston, West Virginia, on December 14, 1931: Provided, That before any payment is made to the claimant, Charles F. Littlepage, a trustee be appointed, and that reimbursement be made to the Mountain State Hospital, Incorporated, Charleston, West Virginia, in full satisfaction of all hospital and medical expenses incurred by Charles F. Littlepage.*

Approved, June 26, 1934.

**[CHAPTER 783.]****AN ACT**

For the relief of Otto Christian.

June 26, 1934.

[S. 1288.]

[Private, No. 359.]

Otto Christian.  
Summoned before  
Army retiring board as  
to fitness, etc.

Appointment as cap-  
tain, retired, on action  
by board, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to summon Otto Christian, late captain, Medical Corps of the Regular Army of the United States, before a retiring board for the purpose of a hearing of his case and to inquire into all facts touching upon the nature of his disabilities, to determine and report the disabilities which in its judgment have produced his incapacity and whether such disabilities were incurred during his active service in the Army and were in line of duty; that if the findings of such board are in the affirmative the President is further authorized, in his discretion, to nominate and appoint, by and with the advice and consent of the Senate, the said Otto Christian a captain in the Medical Corps and to place him immediately thereafter upon the retired*

list of the Army with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for the officers of the Regular Army: *Provided*, That the said Otto Christian shall not be entitled to any back pay or allowance by the passage of this Act.

*Proviso.*  
No back pay, etc.

Approved, June 26, 1934.

[CHAPTER 784.]

AN ACT

Authorizing the Secretary of the Interior to pay E. C. Sampson, of Billings, Montana, for services rendered the Crow Tribe of Indians.

June 26, 1934.  
[S. 1498.]  
[Private, No. 360.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he hereby is, authorized and directed to pay, upon proper vouchers, out of the tribal funds belonging to the Crow Tribe of Indians of Montana in the Treasury of the United States, and in full settlement of all claims against the Government of the United States, a sum not exceeding \$600 to E. C. Sampson, irrigation engineer, of Billings, Montana, employed by the Crow Tribe to investigate, report, and testify in the manner<sup>1</sup> of the claims pending in the Court of Claims entitled "The Crow Tribe of Indians against the United States", arising out of construction of irrigation project within the Crow Reservation with tribal funds: *Provided*, That the said E. C. Sampson shall submit with his vouchers satisfactory evidence of services rendered the said tribe: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

E. C. Sampson.  
Payment to.

*Proviso.*  
Evidence of service to  
be submitted.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

[CHAPTER 785.]

AN ACT

For the relief of Ann Engle.

June 26, 1934.  
[S. 1526.]  
[Private, No. 361.]

Ann Engle.  
Payment to, for per-  
sonal injuries.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Ann Engle, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 in full settlement of all claims against the Government for personal injuries caused as a result of an accident involving an Army vehicle near Garden City, Long Island, New York, on October 1, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive

<sup>1</sup> So in original.

**Penalty for violation.**

any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

**[CHAPTER 786.]****AN ACT**

For the relief of Elizabeth Buxton Hospital.

June 26, 1934.

[S. 1531.]

[Private, No. 362.]

**Elizabeth Buxton Hospital.**

**Payment for services.**

**Proviso.**  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Buxton Hospital, of Newport News, Virginia, the sum of \$224.80 in full settlement of all claims against the Government of the United States for services rendered to late Private Frederick Loyal Kerl, United States Marine Corps, from February 9 to February 15, 1930, while on furlough: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

**[CHAPTER 787.]****AN ACT**

For the relief of Harry Lee Shaw.

June 26, 1934.

[S. 1557.]

[Private, No. 363.]

**Harry Lee Shaw.**  
Military record corrected.

**Proviso.**  
No prior pay, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army, Harry Lee Shaw shall be held and considered to have been honorably discharged as a captain, Medical Corps, United States Army, on December 5, 1918: Provided, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued by reason of this Act prior to its passage.*

Approved, June 26, 1934.

**[CHAPTER 788.]****AN ACT**

For the relief of the Black Hardware Company.

June 26, 1934.

[S. 1585.]

[Private, No. 364.]

**Black Hardware Company.**  
Refund of customs duties.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Black Hardware Company, a Texas corporation, with*

principal offices at Galveston, the sum of \$7,998.04 to refund to said company the difference between the rate of customs duties erroneously assessed and collected from it on corrugated iron bars at Galveston, Texas, between December 30, 1924, and September 27, 1926, under paragraph 304 of the Act of 1922, and the rate of duty assessed and collected on the same class of merchandise in the same customs district, at Houston, Texas, during the same period, under paragraph 312 of said Act, without the knowledge of said company, and which latter rate, subsequently, was decided to be according to law: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

Vol. 42, p. 875.

Vol. 42, p. 877.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 789.]

AN ACT

For the relief of Carlos C. Bedsole.

June 26, 1934.  
[S. 1707.]  
[Private, No. 365.]

Carlos C. Bedsole.  
Payment to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, on certification by the Secretary of the Interior, be, and he is hereby, authorized and directed to pay to Carlos C. Bedsole, of Natchitoches, Louisiana, out of any money in the Treasury not otherwise appropriated, such sum, not to exceed \$1,000, as may be found by the Secretary of the Interior to be the fair and reasonable value of all improvements placed by said Bedsole upon lot 5, section 18, township 14 north, range 4 east, Louisiana meridian, prior to the date of final cancellation of his homestead entry, General Land Office serial numbered 01229, which was allowed December 17, 1927, covering said land.*

Approved, June 26, 1934.

[CHAPTER 790.]

AN ACT

For the relief of Marcella Leahy McNerney.

June 26, 1934.  
[S. 1753.]  
[Private, No. 366.]

Gerald Francis McNerney.  
Payment of death gratuity to widow of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Marcella Leahy McNerney, widow of Gerald Francis McNerney, late Foreign Service officer, State Department, in full settlement of all claims against the Government of the United States, the sum of \$2,500, being one year's salary of her deceased husband, who died while in the Foreign Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact,*

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.**

collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

**[CHAPTER 791.]****AN ACT****June 26, 1934.****[S. 1788.]****[Private, No. 367.]**

**B. E. Dyson.**  
Credit allowed in ac-  
counts of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the General Accounting Office is hereby authorized and directed to credit the accounts of B. E. Dyson, former United States marshal, southern district of Florida, in the amount of \$1,060 disallowed by certificate of settlement numbered F-22358-J, dated December 18, 1931, representing payments made to Frank A. Kopp for services rendered as bailiff while also holding an appointment as deputy marshal at a compensation of \$175 per annum.

Approved, June 26, 1934.

**[CHAPTER 792.]****AN ACT****June 26, 1934.****[S. 1803.]****[Private, No. 368.]**

**Mud Lake bottom,**  
**Marshall County,**  
**Minn.**  
Payment, for losses  
to certain riparian  
owners on.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized to pay, out of any money in the Treasury not otherwise appropriated, and the appropriation of which is hereby authorized, the following sums of money, if their claims are properly adjusted to the satisfaction of the Secretary of the Interior, to the following persons or their heirs, assigns, or legal representatives: A. N. Eckstrom, \$2,792.25; Margit Vaule, \$3,894.80; Bernard Larson, \$57.24; F. H. Wellcome Company, \$1,027.20; L. M. Larson, \$31.64; Mrs. Gusta Petterson, \$580.38; Ava Luella Dale, \$2,321.52; Elmer Odie, \$2,638.08; George E. Olson, \$2,325.35; J. M. Silberstein, \$1,860.28; R. Rierson, \$1,770.39; Ruth Lyons Rose, \$196.71; Clarence Larson, \$1,671.26; Mrs. O. B. Johnson, \$528.01; Christian Burckland, \$1,370.88; Karen Knutson, \$1,522.80; Nels A. Fosen, \$964.50; Christian Larson Ring, \$289.20; Elizabeth Risberg, \$3,128.58; Axel Nelson, \$3,620.30; G. F. Cashman, \$301.69; D. B. Bakke, \$3,482.70; and Frank W. Erickson, \$1,030.68.

Approved, June 26, 1934.

**[CHAPTER 793.]****AN ACT****June 26, 1934.****[S. 1804.]****[Private, No. 369.]**

**C. F. Colvin, etc.**  
Transfer of certain  
real estate to, in settle-  
ment for post office site,  
authorized.

To authorize the transfer of certain real estate by the Secretary of the Treasury to C. F. Colvin in settlement of the Northfield (Minnesota) post-office site litigation, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States district attorney representing the United States in the condemnation proceedings for the procurement of a site (including the Colvin tract of twenty-two feet by sixty-six feet) for the post office

at Northfield, Minnesota, is authorized to enter into a written stipulation with C. F. Colvin, and his wife and other persons, if any, having any interest whatever in such tract, providing for the acceptance by the said C. F. Colvin of \$1,540 in full payment for the north portion of the Colvin tract, such portion being the north twelve feet of the west sixty-six feet of lot 2, block 34, of the town, now city, of Northfield, Rice County, Minnesota, and in full satisfaction of all claims, and any judgment in favor, of the said C. F. Colvin, his wife, and such other persons, or any of them, arising out of the condemnation of such tract, and providing for the transfer to the said C. F. Colvin by the United States of all right, title, and interest of the United States in the south portion of the Colvin tract, such portion being the south ten feet of the west sixty-six feet of the north twenty-two feet of such lot 2. The Secretary of the Treasury is authorized and directed, upon the filing of such stipulation in the court in such proceedings, to transfer to the said C. F. Colvin all the right, title, and interest of the United States in the south portion of the Colvin tract described in this Act.

Approved, June 26, 1934.

Cash payment.

[CHAPTER 794.]

AN ACT

For the relief of W. P. Fuller and Company.

June 26, 1934.  
[S. 1818.]

[Private, No. 370.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claim of W. P. Fuller and Company, of San Francisco, California, against the United States for damages alleged to have been caused by a collision on or about November 29, 1912, in San Francisco Harbor, between their steamer Sunol and the Government tug Angel Island, then in the service of the Immigration Bureau of the Department of Commerce and Labor, may be sued for by the said W. P. Fuller and Company in the District Court of the United States for the Northern District of California, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said W. P. Fuller and Company or against the said W. P. Fuller and Company in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the said suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this Act.

SEC. 2. The District Court of the United States for the Northern District of California in the adjudication of such claim is authorized in its discretion to permit the use, in addition to any evidence which may be offered in such suit, any affidavits or other written documents in the files of the United States Department of Labor, or in the files of the said W. P. Fuller and Company, relating to or bearing upon such claim.

Approved, June 26, 1934.

W. P. Fuller and Company.  
May bring suit for collision damages to steamer Sunol in District Court.

Jurisdiction of court.

*Proviso.*  
Notice, etc., to Attorney General.

Commencement of suit.

Evidence admitted.

## [CHAPTER 795.]

June 26, 1934.

[S. 1822.]

[Private, No. 371.]

**Major Harold Sorenson.**  
Credit allowed in accounts of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to credit the accounts of Harold Sorenson, major, United States property and disbursing officer, North Dakota National Guard, in the amount of \$1,518.91, representing the credit disallowed in such accounts by reason of the payment of such sum by such Harold Sorenson during the year 1926, out of funds of the United States, for certain work in connection with the construction of a water-supply system near Camp Grafton, North Dakota, pursuant to obligations incurred after the termination of the authority for such obligations.*

Approved, June 26, 1934.

## [CHAPTER 796.]

June 26, 1934.

[S. 1901.]

[Private, No. 372.]

**William A. Delaney.**  
Payment to.

**Proviso.**  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William A. Delaney, former captain, Medical Corps, United States Army, the sum of \$133.53, in full satisfaction of his claim against the United States arising out of a payment made by the Quartermaster Corps, United States Army, to Daniel E. Anthony, a soldier who fraudulently represented himself to be a second lieutenant entitled to such payment, and for which payment the said William A. Delaney was held accountable: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

## [CHAPTER 797.]

June 26, 1934.

[S. 1972.]

[Private, No. 373.]

**Captain James W. Walters.**  
Credit allowed in accounts of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he hereby is, authorized and directed to pass and allow credit for in the settlement of the disbursing accounts of James W. Walters, captain, Ordnance Department, United States Army, an item in the sum of \$2,626.76, representing a shortage in the disbursing account of John D. Gallagher, civilian clerk, employed at the Raritan Arsenal, New Jersey, for*

which said James W. Walters has been held accountable: *Provided*, That any amounts stopped against the pay of Captain Walters on account of this disallowance which is cleared by the passage of this Act shall also be refunded to him.

*Proviso.*  
Repayments.

Approved, June 26, 1934.

[CHAPTER 798.]

AN ACT

For the relief of The Lower Salem Commercial Bank, Lower Salem, Ohio.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of The Lower Salem Commercial Bank, Lower Salem, Ohio, 4 $\frac{3}{4}$  per centum United States Treasury notes, series B-1927, numbered 99886, 99891, 99892, 99893, 99894, 99895 in the denomination of \$100 each, and 61646, in the denomination of \$500, dated May 15, 1923, matured March 15, 1927, without interest and without presentation of the said notes which are alleged to have been lost or destroyed: *Provided*, That the said notes shall not have been previously presented and paid: *And provided further*, That the said The Lower Salem Commercial Bank shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of the said notes in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the Treasury notes hereinbefore described.

Approved, June 26, 1934.

June 26, 1934.  
[S. 1993.]  
[Private, No. 374.]

Lower Salem Com-  
mercial Bank.  
Redemption of lost  
Treasury notes.

*Proviso.*  
Condition.  
Indemnity bond.

[CHAPTER 799.]

AN ACT

For the relief of the estate of Martin Flynn.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Martin Flynn, deceased, of Des Moines, Iowa, the sum of \$3,810, in full satisfaction of its claim against the United States for expenses incurred by the estate in restoring to their original condition the fifth and sixth floors of the Flynn Building, Des Moines, Iowa, which were vacated on September 30, 1929, by the United States Veterans' Bureau, at the expiration of its lease: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 26, 1934.  
[S. 1998.]  
[Private, No. 375.]

Martin Flynn.  
Payment to estate of.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

## [CHAPTER 800.]

## AN ACT

For the relief of James R. Mansfield.

June 26, 1934.

[S. 2074.]

[Private, No. 376.]

James R. Mansfield.  
Monthly payments  
to, for permanent disa-  
bility.

Payments to be made  
through Employees'  
Compensation Com-  
mission.

*Proviso.*  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James R. Mansfield, the sum of \$58.33 a month for the remainder of his natural life, as compensation for a permanent disability resulting from injuries received by him on or about January 4, 1925, while assisting a prohibition agent in making a raid on an illicit still on Waldens Ridge, Rhea County, Tennessee. Such monthly payments shall be made through the United States Employees' Compensation Commission, and shall date from the approval of this Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

## [CHAPTER 801.]

## AN ACT

For the relief of W. H. Key and the estate of James E. Wilson.

June 26, 1934.

[S. 2112.]

[Private, No. 377.]

W. H. Key and es-  
tate of James E. Wil-  
son.

Payment to, for lands  
erroneously deeded to  
Government.

*Proviso.*  
Conditional upon  
quitclaim to United  
States.

Limitation on at-  
torney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$160 to W. H. Key and the estate of James E. Wilson, their heirs or assigns, in full settlement of all claims against the Government of the United States for the northeast quarter of the northeast quarter section 31, township 7 south, range 8 west, Huntsville meridian, Lawrence County, Alabama, erroneously deeded to the United States of America by George E. Barnett, trustee of S. E. Gardner (bankrupt), by deed dated March 21, 1918, and recorded among the land records of Lawrence County in libre 2, folio 148, March 23, 1918: *Provided*, That the said W. H. Key and the estate of James E. Wilson, their and each of their heirs or assigns, shall quitclaim to the United States all of their rights, title, and interest in and to the said described land: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

## [CHAPTER 802.]

**AN ACT**  
For the relief of Roy Lee Groseclose.

June 26, 1934.  
[S. 2141.]

[Private, No. 378.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy Lee Groseclose, of Alderson, West Virginia, the sum of \$37.50, in full satisfaction of his claim against the United States for damages to his automobile resulting from a collision on May 26, 1933, on State Highway Numbered 3, three and one half miles west of Alderson, West Virginia, when such automobile was struck by a cow owned by the Federal Industrial Institution for Women, Alderson, West Virginia: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Roy Lee Groseclose.  
Payment to, for col-  
lision damages.

Proviso.  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

## [CHAPTER 803.]

**AN ACT**  
For the relief of Mildred F. Stamm.

June 26, 1934.  
[S. 2233.]

[Private, No. 379.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mildred F. Stamm, of Washington, District of Columbia, the sum of \$1,000 in full settlement of all claims against the Government of the United States for injuries, permanent and otherwise, resulting from a driver of a United States Naval Air Station truck negligently running into and upon Mildred F. Stamm while she was in an automobile at Sixteenth Street and Constitution Avenue northwest, Washington, District of Columbia, on the 12th day of February 1932, and said injuries resulting from no fault of the said Mildred F. Stamm: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Mildred F. Stamm.  
Payment to, for per-  
sonal injuries.

Proviso.  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

## [CHAPTER 804.]

June 26, 1934.  
[S. 2322.]

[Private, No. 380.]

A. J. Hanlon.  
Credit allowed in  
accounts of.

## AN ACT

For the relief of A. J. Hanlon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of A. J. Hanlon, special disbursing agent, Bureau of Prohibition, San Juan, Puerto Rico, with the sum of \$223.75, said sum representing the amount paid on vouchers to Juan R. Toledo, prohibition agent, as per diem in lieu of subsistence for the period June 13 to July 21, 1929, which sum was disallowed by the General Accounting Office.*

Approved, June 26, 1934.

## [CHAPTER 805.]

June 26, 1934.  
[S. 2338.]

[Private, No. 381.]

Robert V. Rensch.  
Reimbursement to.

## AN ACT

For the relief of Robert V. Rensch.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$136.50 to Robert V. Rensch, of Saint Paul, Minnesota, in full settlement of all claims against the Government of the United States for expenses in said sum incurred and paid by him as assistant United States attorney for the district of Minnesota, on behalf of the United States of America with the approval of the Attorney General of the United States of America, in the trial of the case of United States of America against Wilbur B. Foshay, and others, in the city of Minneapolis, in said district, between August 31, 1931, and September 30, 1931, which said sum was duly paid to said Robert V. Rensch by the United States marshal for said district, and subsequently and on the 20th day of October 1933 refunded by said Robert V. Rensch, under protest, to said United States marshal, by reason of the fact that on the 3d day of March 1933 the Comptroller General of the United States of America refused to allow credit to the said United States marshal for vouchers covering said sum for said expense: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Proviso.  
Limitation on at-  
torney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

## [CHAPTER 806.]

June 26, 1934.  
[S. 2343.]

[Private, No. 382.]

Herbert E. Mat-  
thews.  
Claim of, for benefits  
of Employees' Com-  
pensation Act, to be  
considered.

## AN ACT

For the relief of Herbert E. Matthews.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Herbert E. Matthews, of Johnson City, Tennessee, formerly employed by the Federal Barge*

Lines, operated by the Inland Waterways Corporation, aboard the steamer *Memphis*, in the same manner and to the same extent as if application for the benefits of the United States Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to approval of this Act.

Approved, June 26, 1934.

Vol. 39, pp. 676, 677.  
*Proviso.*  
No prior benefits.

[CHAPTER 807.]

AN ACT  
For the relief of Arthur Bussey.

June 26, 1934.  
[S. 2357.]  
[Private, No. 383.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur Bussey the sum of \$29,848.93, in full satisfaction of his claim against the United States for damages for loss of, or damage to, personal property consequent upon the taking of his plantation, Riverside, in Chattahoochee County, Georgia, for military purposes, under the Act of July 2, 1917.

Approved, June 26, 1934.

Arthur Bussey.  
Payment to, for prop-  
erty damages.

[CHAPTER 808.]

AN ACT  
For the relief of Emilie C. Davis.

June 26, 1934.  
[S. 2367.]  
[Private, No. 384.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emilie C. Davis, widow of Raymond Davis, late Foreign Service officer of the United States, and formerly American consul at Aden, Arabia; Paris, France; Rosario, Argentina; and Prague, Czechoslovakia, the sum of \$4,500, being one year's salary of her deceased husband.

Approved, June 26, 1934.

Raymond Davis.  
Payment to widow of.

[CHAPTER 809.]

AN ACT  
For the relief of Nancy Abbey Williams.

June 26, 1934.  
[S. 2398.]  
[Private, No. 385.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Nancy Abbey Williams 3½ per centum United States Treasury note, series C-1930-32, numbered 5182 B, in the denomination of \$100, issued January 16, 1928, called for redemption December 15, 1931, without interest and without presentation of said note which is alleged to have been lost, stolen, or destroyed: *Provided*, That the said note shall not have been previously presented: *And provided further*, That the said Nancy Abbey Williams shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of said note in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the note hereinbefore described.

Approved, June 26, 1934.

Nancy Abbey Wil-  
liams.  
Redemption of lost  
Treasury note in favor  
of.

*Proviso.*  
Condition.  
Indemnity bond.

## [CHAPTER 810.]

## AN ACT

For the relief of Ammon McClellan.

June 26, 1934.  
[S. 2467.]

[Private, No. 386.]

Ammon McClellan.  
Payment to, for services.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Ammon McClellan, out of any money in the Treasury not otherwise appropriated, the sum of \$376.27 in full settlement of all claims against the Government of the United States for services rendered from July 18, 1933, to August 31, 1933, in the Department of Agriculture: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

## [CHAPTER 811.]

## AN ACT

For the relief of Erik Nylin.

June 26, 1934.  
[S. 2470.]

[Private, No. 387.]

Erik Nylin.  
Provisions of Employees' Compensation Act extended to.

Vol. 39, pp. 746.

Proviso.  
No prior benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Erik Nylin, on account of disability caused by his employment in the service of the United States at Elim, Alaska: Provided, That no benefits shall accrue prior to the enactment of this Act.*

Approved, June 26, 1934.

## [CHAPTER 812.]

## AN ACT

For the relief of Albert W. Harvey.

June 26, 1934.  
[S. 2549.]

[Private, No. 388.]

Albert W. Harvey.  
Payment to, for damages.Proviso.  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Albert W. Harvey, Rutland, Vermont, out of any money in the Treasury not otherwise appropriated, the sum of \$49.15, in full settlement of all claims against the Government of the United States of said Harvey for damages incurred in an accident in which an automobile was seized by a Federal prohibition agent in the performance of his duties for the Government: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess*

of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

Penalty for violation.

[CHAPTER 813.]

AN ACT

For the relief of the Brewer Paint and Wall Paper Company, Incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Brewer Paint and Wall Paper Company, Incorporated, out of any money in the Treasury not otherwise appropriated, the sum of \$846.80, in full settlement of all claims against the Government on account of extra painting work performed under contract numbered W6174-qm-33, dated April 25, 1931, in connection with the construction of three barracks buildings at Langley Field, Virginia: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

June 26, 1934.  
[S. 2563.]

[Private, No. 389.]

Brewer Paint and  
Wall Paper Company,  
Incorporated.  
Payment to, for extra  
services.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 814.]

AN ACT

For the relief of Robert R. Prann.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to certify for payment to Robert R. Prann, of San Juan, Puerto Rico, the sum of \$3,375, which amount is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in full payment of all claims against the United States for extra work performed under contract with the War Department, dated May 12, 1925, for the construction of a section of wall east of San Augustin Battery, San Juan, Puerto Rico: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

June 26, 1934.  
[S. 2661.]

[Private, No. 390.]

Robert R. Prann.  
Payment to, for extra  
services.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 815.]

## AN ACT

For the relief of Elmer Kettering.

June 26, 1934.  
[S. 2584.]

[Private, No. 391.]

Elmer Kettering.  
Redemption of Lib-  
erty bonds in favor of.Proviso.  
Condition.  
Indemnity bond.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Elmer Kettering, Mellette, South Dakota, United States registered notes numbered L-1230844 and L-1230845 (uncalled) in the denomination of \$100 each of the Victory Liberty Loan 4 3/4 per centum convertible gold notes of 1922-1923, registered in the name of Elmer Kettering, without presentation of the notes which are alleged to have been stolen in a mail robbery after having been assigned in blank by the registered payee: Provided, That the said notes shall not have been presented to the Department: And provided further, That the said Elmer Kettering shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of the said notes, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury with condition to indemnify and save harmless the United States from any claim on account of the notes hereinbefore described.*

Approved, June 26, 1934.

## [CHAPTER 816.]

## AN ACT

For the relief of Jewell Maness.

June 26, 1934.  
[S. 2613.]

[Private, No. 392.]

Jewell Maness.  
Claim of.  
Vol. 39, p. 746.Proviso.  
Compensation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Jewell Maness, widow of Ward W. Maness, deceased, former transfer mail clerk, Union Depot, Jackson, Tennessee and the United States Employees' Compensation Commission is authorized and directed to consider and determine her claim for compensation on account of her husband's death notwithstanding the limitations in the first paragraph of section 10 of the said Act: Provided, That compensation, if any, shall commence from and after the date of the passage of this Act.*

Approved, June 26, 1934.

## [CHAPTER 817.]

## AN ACT

For the relief of E. Clarence Ice.

June 26, 1934.  
[S. 2619.]

[Private, No. 393.]

E. Clarence Ice.  
Payment to, for  
death of son.Proviso.  
Limitation on attor-  
ney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to E. Clarence Ice, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, in full settlement of all claims against the Government on account of the death of his son, Corporal Egbert J. Ice, who was killed August 15, 1933, while in the performance of his duties with the District of Columbia National Guard at Camp Albert C. Ritchie: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or*

attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

**Penalty for violation.**

Approved, June 26, 1934.

[CHAPTER 818.]

AN ACT

For the relief of N. W. Carrington and J. E. Mitchell.

June 26, 1934.  
[S. 2620.]

[Private, No. 394.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to N. W. Carrington, Dumbarton, Virginia, and J. E. Mitchell, Richmond, Virginia, out of any money in the Treasury not otherwise appropriated, the sums of \$1,020 and \$1,260, respectively, in full settlement of all claims against the Government of the United States, as Federal indemnity for the destruction of their cattle in 1925 and 1926 which were found to be affected with tuberculosis: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

N. W. Carrington  
and J. E. Mitchell.  
Payment to, for de-  
struction of cattle.

**Proviso.**  
Limitation on attor-  
ney's, etc., fees.

**Penalty for violation.**

Approved, June 26, 1934.

[CHAPTER 819.]

AN ACT

For the relief of George M. Wright.

June 26, 1934.  
[S. 2720.]

[Private, No. 395.]

George M. Wright.  
Refund of errone-  
ously collected income  
taxes.

**Proviso.**  
Limitation on attor-  
ney's, etc., fees.

**Penalty for violation.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund and pay, out of any money in the Treasury not otherwise appropriated, to George M. Wright, Great Falls, South Carolina, the sum of \$545.03, in full settlement of all claims against the Government of the United States, for income taxes erroneously collected for the taxable year 1924: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

## [CHAPTER 820.]

## AN ACT

June 26, 1934.

[S. 2806.]

[Private, No. 396.]

**Carlo de Luca.**  
**Claim of, referred to**  
**Court of Claims.**

**Proviso.**  
**Credit for sum paid.**

**Commencement of**  
**suit.**

**Jurisdiction, etc.**

**Vol. 36, p. 1136;**  
**U.S.C., p. 897.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims of the United States be, and it is hereby, given jurisdiction to hear and determine the claim of Carlo de Luca, and to award him just compensation for losses and damages, if any, which he may have suffered through action of the United States Shipping Board Emergency Fleet Corporation in commandeering or requisitioning two certain contracts dated June 25, 1917, which the said Carlo de Luca owned and which he had with the Standard Shipbuilding Corporation of New York for the construction and delivery of two certain ships designated as "hulls 12 and 13"; and to enter decree or judgment against the United States for such just compensation, if any, notwithstanding the bars or defenses of any alleged settlement or adjustment heretofore made or of res judica, lapse of time, laches, or any statute of limitation: Provided, however, That the United States shall be given credit for any sum heretofore paid the said Carlo de Luca by reason of said action of the United States Shipping Board and/or the United States Shipping Board Emergency Fleet Corporation.*

**SEC. 2.** Such claim may, under section 1 of this Act, be instituted at any time within four months from the approval of this Act. Proceedings in any suit brought in the Court of Claims under this Act, appeals therefrom, and payment of any judgment therein shall be had as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

Approved, June 26, 1934.

## [CHAPTER 821.]

## AN ACT

June 26, 1934.

[S. 2809.]

[Private, No. 397.]

**International Arms**  
**and Fuze Company,**  
**Incorporated.**  
**Claims of, referred to**  
**Court of Claims.**

**Proviso.**  
**Writ of certiorari**  
**allowed either party to**  
**U.S. Supreme Court.**

*Conferring jurisdiction upon the Court of Claims to hear and determine the claims of the International Arms and Fuze Company, Incorporated.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims, notwithstanding the lapse of time or any statute of limitations or any defense because of any awards previously made by the War Department or other authority of the United States or any alleged acceptances thereof by the International Arms and Fuze Company, Incorporated, to hear and determine, upon the basis of just compensation, the claims of the said International Arms and Fuze Company, Incorporated, growing out of contracts numbered G-1048-559-A, dated January 1, 1918, and P-19219-4797-A, dated November 5, 1918, with the United States and the amendments and modifications thereof: Provided, however, That from any decision or judgment rendered in any suit presented under the authority of this Act a writ of certiorari to the Supreme Court of the United States may be applied for by either party thereto, as is provided by law in other cases.*

Approved, June 26, 1934.

## [CHAPTER 822.]

## AN ACT

For the relief of Marie Louise Belanger.

June 26, 1934.  
[S. 2872.]

[Private, No. 398.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the Government on account of the death of Alfred Belanger, caused by an explosion in the meter house of the Federal Hospital for Defective Delinquents, at Springfield, Missouri, on September 15, 1933: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

Marie Louise Belanger.  
Payment to.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## [CHAPTER 823.]

## AN ACT

For the relief of Stella D. Wickersham.

June 26, 1934.  
[S. 2873.]

[Private, No. 399.]

Stella D. Wicker-sham.  
Payment to.Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the Government on account of the death of Robert L. Wickersham, caused by an explosion in the meter house of the Federal Hospital for Defective Delinquents, at Springfield, Missouri, on September 15, 1933: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

## [CHAPTER 824.]

## AN ACT

For the relief of Cornelia Claiborne.

June 26, 1934.  
[S. 2919.]

[Private, No. 400.]

Hamilton Cabell  
Claiborne.  
Payment to widow  
of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to Cornelia Claiborne, widow*

of Hamilton Cabell Claiborne, late American consul at Frankfort, Germany, the sum of \$7,000, being one year's salary of her deceased husband, who died while in the Foreign Service.

Approved, June 26, 1934.

[CHAPTER 825.]

AN ACT

For the relief of the rightful heirs of Wakicunzewin, an Indian.

June 26, 1934.  
[S. 2957.]

[Private, No. 401.]

Wakicunzewin.  
Payment to heirs of,  
authorized.

Proviso.  
Sum due may be  
deposited to credit and  
benefit of Indian.

Credit of estate if  
person named be dead.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the respective heirs of Wakicunzewin, deceased Sisseton-Wahpeton allottee, as determined by the Secretary of the Interior pursuant to existing law, the sum of \$2,888.90, as follows: Waste, \$481.48; Cankumazwin, \$481.48; Hotonnahowin, \$240.74; Ticahdeiyotanke, \$240.74; Mnimapson, or Charles Boesdi, \$240.74; Cetanhote, or Grayhawk, \$120.37; Hankadutana, or Charles Blackbird, \$60.20; George Young, \$60.19; Cankutopewin, \$481.48; and George Track, \$481.48: Provided, That, in the discretion of the Secretary of the Interior, the amount due any beneficiary may be deposited to the credit of the individual and handled in the same manner as other individual Indian moneys: Provided further, That, should any of the persons named herein be not living upon the date of the passage of this Act, his or her share shall be credited to and become a part of the estate of such beneficiary.*

Approved, June 26, 1934.

[CHAPTER 826.]

AN ACT

For the relief of the Dongji Investment Company, Limited.

June 26, 1934.  
[S. 3016.]

[Private, No. 402.]

Dongji Investment  
Company, Limited.  
Release of liability for  
excess amount of per-  
formance bond.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assemb'ed, That Private Law Numbered 228, Seventy-second Congress, entitled "An Act for the relief of the Dongji Investment Company (Limited)", be, and it is hereby, amended by deleting from lines 5 and 6 the words "in excess of the amount of the performance bond given by such company".*

Approved, June 26, 1934.

[CHAPTER 827.]

AN ACT

For the relief of H. N. Wilcox.

June 26, 1934.  
[S. 3122.]

[Private, No. 403.]

H. N. Wilcox.  
Compensation, for  
hospital, etc., treat-  
ments.

Proviso.  
Conditional upon re-  
imbursement of hospi-  
tal, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to H. N. Wilcox, out of any money in the Treasury not otherwise appropriated, the sum of \$119 in full settlement of all claims against the Government for hospital and medical expenses incurred as a result of injuries sustained by H. N. Wilcox and Edson Reed in an explosion aboard the gasoline fishing boat Cachalot on December 8, 1933: Provided, That before any payment is made to the claimant, H. N. Wilcox, that reimbursement be made to the Truesdale Hospital, Incorporated, of Fall River, Massachusetts, and*

Doctor C. H. Bryant, of Tiverton, Rhode Island, in full satisfaction of all hospital and medical expenses incurred by H. N. Wilcox and Edson Reed: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Limitation on attorney's, etc., fees.*

*Penalty for violation.*

Approved, June 26, 1934.

[CHAPTER 828.]

AN ACT

For the relief of Charles E. Secord.

June 26, 1934.  
[S. 3160.]  
[Private, No. 404.]

Charles E. Secord.  
Payment to, for personal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles E. Secord the sum of \$500, in full settlement of all claims against the Government, for injuries received through the negligent operation of a motor vehicle by a prohibition agent working under the Treasury Department of the United States Government: Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
*Limitation on attorney's, etc., fees.*

*Penalty for violation.*

Approved, June 26, 1934.

[CHAPTER 829.]

AN ACT

For the relief of Mary Seeley Watson.

June 26, 1934.  
[S. 3161.]  
[Private, No. 405.]

John J. Crittenden  
Watson.  
Payment to widow.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay Mary Seeley Watson, widow of the late John J. Crittenden Watson, formerly Foreign Service officer, American Consulate, Dundee, Scotland, the sum of \$5,000, being one year's salary of her deceased husband, who died of illness incurred while in the Consular Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.*

Approved, June 26, 1934.

## [CHAPTER 830.]

June 26, 1934.  
[S. 3192.]

[Private, No. 406.]

Arthur Hansel.  
Payment to, for personal injuries.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

## AN ACT

For the relief of Arthur Hansel.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$2,500 to Arthur Hansel for injuries sustained when struck by an ambulance of the Second Motor Transport Company, Brooklyn, New York, on October 11, 1932: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934

## [CHAPTER 831.]

June 26, 1934.  
[S. 3248.]

[Private, No. 407.]

J. B. Walker.  
Relief of.

## AN ACT

For the relief of J. B. Walker.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to accept the sum of \$346.64 in full settlement of the judgment recovered by the United States against J. B. Walker, of Buffton, South Carolina, as surety upon the appeal bond given in the case of United States against Woodrow Jenkins, such bond having been forfeited because of the willful default of said Woodrow Jenkins, who was subsequently rearrested at an expense to the United States of \$346.64, including the costs of suit to recover judgment on such bond.*

Approved, June 26, 1934.

## [CHAPTER 832.]

June 26, 1934.  
[S. 3244.]

[Private, No. 408.]

Muriel Crichton.  
Payment to, for personal injuries.

Proviso.  
Limitation on attorney's, etc., fees.

## AN ACT

For the relief of Muriel Crichton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Muriel Crichton, of Washington, District of Columbia, the sum of \$5,000, in full and final settlement of all claims against the Government of the United States for hospitalization and medical and other charges and expenses and for pain, suffering, and damage to her person, resulting from an injury suffered by her as the result of being knocked down by an employee of the Senate at or near the east door of the Senate Chamber on March 28, 1933: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any*

agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

*Penalty for violation.*

[CHAPTER 833.]

AN ACT

For the relief of Joanna A. Sheehan.

June 26, 1934.

[S. 3335.]

[Private, No. 409.]

*Joanna A. Sheehan.  
Redemption of lost  
Liberty bond in favor  
of.*

*Proviso.  
Condition.*

*Indemnity bond.*

*Limitation on attor-  
ney's, etc., fees.*

*Penalty for violation.*

[CHAPTER 834.]

AN ACT

For the relief of Robert N. Stockton.

June 26, 1934.

[S. 3656.]

[Private, No. 410.]

*Robert N. Stockton.  
Payment to, for per-  
sonal injuries.*

*Proviso.  
Limitation on attor-  
ney's, etc., fees.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Robert N. Stockton, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000 in full settlement of all claims against the Government for injuries received on January 7, 1933, while he was assisting Federal enforcement officers in apprehending bootleggers, said Stockton being the night marshal of Amory, Mississippi: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account*

**Penalty for violation.**

of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

**[CHAPTER 835.]**

June 26, 1934.  
[H.R. 1133.]

[Private, No. 411.]

Silas B. Lawrence.  
Compensation,  
for  
personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

**Penalty for violation.****AN ACT**  
For the relief of Silas B. Lawrence.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Silas B. Lawrence as reimbursement for expenses actually incurred by him as a direct result of personal injuries received by him on August 29, 1897, while in the discharge of his duties as a member of a posse under the command of the United States marshal for the eastern district of Arkansas, and as full compensation for said injuries, the pain and suffering from the same, including loss of earnings and any permanent disability resulting from said injury: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

**[CHAPTER 836.]**

June 26, 1934.  
[H.R. 2419.]

[Private, No. 412.]

W. B. Ford.  
Compensation,  
for  
personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

**AN ACT**  
For the relief of W. B. Ford.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government, the sum of \$1,000 to W. B. Ford, injured in the performance of his duties while postmaster at Oskaloosa, Kansas: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim,*

any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 26, 1934.

[CHAPTER 837.]

AN ACT

For the relief of Jerry O'Shea.

June 26, 1934.  
[H.R. 4666.]

[Private, No. 413.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jerry O'Shea, of Blackwater, North Dakota, the sum of \$275 in full satisfaction of his claim against the United States for damages arising out of the destruction of his crops in August 1930 by a herd of horses belonging to Indians of the Fort Berthold Indian Reservation: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Jerry O'Shea.  
Payment to, for crop  
damages.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

[CHAPTER 838.]

AN ACT

For the relief of William S. Steward.

June 26, 1934.  
[H.R. 5122.]

[Private, No. 414.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of Congress approved September 7, 1916, entitled "An Act to provide compensation for employees of the United States receiving injuries in the performance of their duties, and for other purposes", are hereby extended to William S. Steward for injuries sustained by him while engaged in work for the Isthmian Canal Commission in 1912, and the Governor of the Panama Canal is authorized to pay said William S. Steward, from and after the passage of this Act, such sums as would be due him had his injury occurred subsequent to September 7, 1916, such compensation to be a charge against the employees' compensation fund.*

William S. Steward.  
Claim of.  
Vol. 39, pp. 746, 747.

Approved, June 26, 1934.

[CHAPTER 839.]

AN ACT

For the relief of Frank Baglione.

June 26, 1934.  
[H.R. 7107.]

[Private, No. 415.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Baglione, of Suffolk County, Boston, Massachusetts, the sum of \$3,500 in full settlement of all claims against the Government*

Frank Baglione.  
Payment to, for in-  
juries to son.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

of the United States for damages to his son, Vincent Baglione, caused by negligence on the part of the employees of the United States in the operation of a mail truck owned and operated by the United States Government on March 19, 1924: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 26, 1934.

[CHAPTER 840.]

AN ACT

June 26, 1934.  
[H.R. 7161.]  
[Private, No. 416.]

Church of the Good Shepherd, Memphis, Tenn.  
Refund of duty on candlesticks, etc.

To provide for the refund or abatement of the customs duty on altar candlesticks and cross imported for the Church of the Good Shepherd, Memphis, Tennessee.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to refund or abate the customs duty (consumption entry numbered 023, June 26, 1933) assessed on altar candlesticks and cross imported by Canon Hiram K. Douglass for the Church of the Good Shepherd, Memphis, Tennessee.*

Approved, June 26, 1934.

[CHAPTER 841.]

AN ACT

June 26, 1934.  
[H.R. 7163.]  
[Private, No. 417.]

D. F. Tyler Corporation and the Norfolk Dredging Company.  
Payment of court judgments.

For the relief of the D. F. Tyler Corporation and the Norfolk Dredging Company.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Penalty for violation.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the D. F. Tyler Corporation and the Norfolk Dredging Company jointly \$14,727.11, out of any money in the Treasury not otherwise appropriated, in full settlement of all claims against the Government of the United States by reason of court judgments and claims against them on account of dumping of dredged material on certain oysters, oyster grounds, and marshlands, under a contract dated January 19, 1931, between the United States and the said D. F. Tyler Corporation, for dredging in the Nansemond River, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 26, 1934.

## [CHAPTER 842.]

## AN ACT

For the relief of the Boston Store Company, a corporation, Chicago, Illinois

June 26, 1934.  
[H.R. 7292.]  
[Private, No. 418.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$6,246 to the Boston Store Company, a corporation of Chicago, Illinois, such sum representing a loss incurred because of misrepresentation in the purchase of cots from the quartermaster supply officer of the surplus property branch at Chicago, Illinois, August 16, 1921, which claim had at one time been allowed and paid, but subsequently, because of some technicality, now cured, returned to the Treasury upon request: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Boston Store Com-  
pany, Chicago, Ill.  
Reimbursement for  
losses.Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

## [CHAPTER 843.]

## AN ACT

For the relief of B. J. Sample.

June 26, 1934.  
[H.R. 8650.]  
[Private, No. 419.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. J. Sample the sum of \$1,324.14 in full settlement of all claims against the Government of the United States for carrying the mail upon star route numbered 20183, between Allendale and Augusta, the said sum representing pay for mileage on said route in excess of the mileage advertised by the Post Office Department as a correct mileage of the route: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

B. J. Sample.  
Payment to.Proviso.  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

Approved, June 26, 1934.

## [CHAPTER 844.]

## AN ACT

June 26, 1934.

[H.R. 8727.]

[Private, No. 420.]

First State Bank and  
Trust Company, Mis-  
sion, Tex.  
Redemption of lost  
Liberty bond in favor  
of.

*Proviso.*  
Condition.  
Indemnity bond.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of the First State Bank and Trust Company, of Mission, Texas, United States registered bond numbered 89539 for \$1,000 of the third Liberty Loan 4½ per centum per annum bonds of 1928, registered in the name of Alpha G. Decker, with interest from March 15, 1928, to September 15, 1928, without presentation of the bond, said bond having been assigned in blank by the registered payee and alleged to have been lost, stolen, or destroyed in the First State Bank and Trust Company, of Mission, Texas:*

*Provided*, That the said bond shall not have been previously presented and paid: *And provided further*, That the said First State Bank and Trust Company shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of the said bond and the final interest payable thereon September 15, 1928, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the bond hereinbefore described.

Approved, June 26, 1934.

## [CHAPTER 852.]

## AN ACT

For the relief of A. L. Ostrander.

June 27, 1934.  
[S. 86.]

[Private, No. 421.]

A. L. Ostrander.  
Payment to, for serv-  
ices.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. L. Ostrander, of Yakima, Washington, the sum of \$270 in full satisfaction of his claim against the United States for compensation for services rendered during the year 1931 as a member of the land designating committee for the Wapato project, Washington, in connection with the designation of irrigable lands of such project:*

*Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 27, 1934.

## [CHAPTER 853.]

## AN ACT

For the relief of Archibald MacDonald.

June 27, 1934.  
[S. 365.]

[Private, No. 422.]

Archibald MacDon-  
ald.  
Reimbursement, due  
to loss of postal funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to*

Archibald MacDonald, postmaster at Putnam, Connecticut, the sum of \$143.86, in full settlement of all claims against the Government of the United States, for payment of loss of postal funds due to the failure of the First National Bank of Putnam: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 27, 1934.

[CHAPTER 854.]

AN ACT

For the relief of Lucy B. Hertz and J. W. Hertz.

June 27, 1934.  
[S. 887.]  
[Private, No. 423.]

Lucy B. Hertz and  
J. W. Hertz.  
Payment to, for personal injuries.

*Proviso.*  
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 27, 1934.

[CHAPTER 855.]

AN ACT

For the relief of Uldric Thompson, Junior.

June 27, 1934.  
[S. 1382.]  
[Private, No. 424.]

Uldric Thompson,  
Junior.  
Claim of, referred to  
Court of Claims, regardless of statute of  
limitations.  
Vol. 40, p. 706.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States, notwithstanding the lapse of time or the statute of limitations, to hear, determine, and render judgment under the Act of July 1, 1918 (40 Stat.L., ch. 114, pp. 704, 705), on the claims of Uldric Thompson, Junior, for the use of or the manufacture by the United States without license of the owner thereof or the lawful right to use or manufacture war material under certain inventions of said Uldric Thompson, Junior, described in or covered by Letters Patent*

*Proviso.*  
Evidence available  
to court.

Appeal allowed.

Numbered 1237362 and 1255836, respectively: *Provided*, That the records of the War Department as to such manufacture and use under these patents shall be available to the court and to the claimant: *Provided further*, That from any decision in any suit prosecuted under the authority of this Act an appeal may be taken by either party as is provided for by law in other cases.

Approved, June 27, 1934.

[CHAPTER 856.]

June 27, 1934.  
[S. 1505.]

[Private, No. 425.]

Thomas E. Read.  
Military record cor-  
rected.

*Proviso.*  
No back pay, etc.

AN ACT

For the relief of Thomas E. Read.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Thomas E. Read, otherwise known as Thomas Griffiths, who was a member of Company I, Twenty-sixth Regiment United States Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 12th day of February 1900: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, June 27, 1934.

[CHAPTER 857.]

June 27, 1934.  
[S. 2272.]

[Private, No. 426.]

Bert Moore.  
Payment to, for per-  
sonal injuries.

*Proviso.*  
Limitation on attor-  
ney's, etc., fees.

Penalty for violation.

AN ACT

For the relief of Bert Moore.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Bert Moore, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full settlement of all claims for injuries sustained by reason of being shot and seriously wounded by a military guard at Fort Logan H. Roots on the night of April 23, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 27, 1934.

[CHAPTER 858.]

June 27, 1934.  
[S. 2617.]

[Private, No. 427.]

Jennie Walton.  
Payment to estate of,  
for damages.

AN ACT

For the relief of the estate of Jennie Walton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Jennie Walton, late of Bantry, North Dakota, the sum of

\$4,000, in full satisfaction of its claim against the United States for damages from an automobile accident on Highway Numbered 5, near Belcourt, North Dakota, within the Turtle Mountain Indian Reservation, on October 5, 1931.

Approved, June 27, 1934.

[CHAPTER 859.]

AN ACT

For the relief of the legal beneficiaries and heirs of Mrs. C. A. Toline.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal beneficiaries and heirs of Mrs. C. A. Toline, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the Government on account of the death of Mrs. C. A. Toline, which occurred November 7, 1923, at the National Military Home for Disabled Volunteer Soldiers, Wisconsin: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved, June 27, 1934.

June 27, 1934.

[S. 2752.]

[Private, No. 428.]

Mrs. C. A. Toline.  
Payment to legal  
beneficiaries, etc., of.

Proviso.  
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 860.]

AN ACT

For the relief of Margoth Olsen von Struve.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margoth Olsen von Struve, widow of Henry C. von Struve, late American consul at Tenerife, Canary Islands, the sum of \$5,000, equal to one year's salary of her deceased husband.*

SEC. 2. That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Approved, June 27, 1934.

June 27, 1934.

[S. 2875.]

[Private, No. 429.]

Henry C. von Struve.  
Payment to widow.

Appropriation authorized.

[CHAPTER 861.]

AN ACT

For the relief of Ransome Cooyate.

June 27, 1934.

[S. 2906.]

[Private, No. 430.]

Ransome Cooyate.  
Payment to, for personal injuries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Ransome Cooyate, of the Zuni Reservation in New Mexico, in full satisfaction of his claim for injuries received while a*

*Proviso.*  
Discretionary monthly installments.

student at the Albuquerque Boarding School, New Mexico: *Provided*, That in the discretion of the Secretary of the Interior, the amount herein appropriated may be held as individual Indian money by the Superintendent of the Zuni Agency, New Mexico, and disbursed to the beneficiary at the rate of \$30 a month.

Approved, June 27, 1934.

[CHAPTER 862.]

June 27, 1934.  
[S. 2972.]

[Private, No. 431.]

John N. Knauff Company, Incorporated.  
Payment to, findings  
of Court of Claims.

AN ACT

For the relief of John N. Knauff Company, Incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$19,032.78 to John N. Knauff Company, Incorporated, in full settlement of all claims against the Government for damage and loss incurred by said corporation in complying with the orders of the Surgeon General of the United States or his representatives on contract duly executed between the Government of the United States and the plaintiff corporation on January 28, 1920, providing for the making of certain repairs and alterations for the United States in the United States Public Health Service Hospital at Hudson, Jay, and Staple Streets, New York City, in 1920 and 1921, as found by the Court of Claims and reported in Senate Document Numbered 128, Seventy-third Congress, second session: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 27, 1934.

Penalty for violation.

*Proviso.*  
Limitation on attorney's, etc., fees.

[CHAPTER 863.]

AN ACT

For the relief of the estate of White B. Miller.

White B. Miller.  
Payment to, for services.

*Proviso.*  
Limitation on attorney's, etc., fees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of White B. Miller, former special assistant to the Attorney General, the sum of \$25,000 in full satisfaction of the claim of said estate against the United States for compensation for legal services rendered by the said White B. Miller on behalf of the United States in connection with the tax litigation involved in the Cannon against Bailey cases, a final report of which litigation was rendered by the deceased on March 14, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents,

attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

**Penalty for violation.**

Approved, June 27, 1934.

[CHAPTER 864.]

AN ACT

Authorizing the relief of the McNeill-Allman Construction Company, Incorporated, of W. E. McNeill, Lee Allman, and John Allman, stockholders of the McNeill-Allman Construction Company, Incorporated, and W. E. McNeill, dissolution agent of McNeill-Allman Construction Company, to sue in the United States Court of Claims.

June 27, 1934.  
[H.R. 5668.]

[Private, No. 433.]

McNeill-Allman  
Construction Compa-  
ny, Incorporated, etc.  
Claims of, referred to  
Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and it is hereby, conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States by either party, to hear, examine, and adjudicate and render judgment upon the claim of McNeill-Allman Construction Company, Incorporated, of W. E. McNeill, Lee Allman, and John Allman, stockholders of the McNeill-Allman Construction Company, Incorporated, and W. E. McNeill, dissolution agent of McNeill-Allman Construction Company, for a refund of internal-revenue income and excess-profits taxes paid by said McNeill-Allman Construction Company, Incorporated, to the collector of internal revenue for the internal-revenue district of North Carolina in the sum of \$4,320 for the fiscal year ending May 31, 1922, said Court of Claims being hereby granted jurisdiction to hear and determine the merits of said claim without regard to any statutory limitations with respect to the allowance of a refund thereof should the same be found by said court to be legally or equitably due or refundable, such statute of limitation being hereby expressly waived.*

Approved, June 27, 1934.

Statutory limitations  
waived.

[CHAPTER 870.]

AN ACT

Authorizing the Court of Claims to hear, consider, adjudicate, and enter judgment upon the claims against the United States of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. McCallib, J. J. Beckham, and John Toles.

June 28, 1934.  
[S. 3517.]

[Private, No. 434.]

Choctaw Indians.  
Certain claims  
against, to be heard,  
etc., by Court of  
Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims is hereby authorized to hear, consider, and adjudicate the claims against the United States of J. A. Tippit, L. P. Hudson, Chester Howe, J. E. Arnold, Joseph W. Gillette, J. S. Bounds, W. N. Vernon, T. B. Sullivan, J. H. Neill, David C. McCallib, J. J. Beckham, and John Toles for services rendered and expenses incurred in connection with the identification, enrollment, removal, allotment, and subsistence of Mississippi Choctaw Indians to enable them to acquire citizenship in the Choctaw Nation of Oklahoma, and to render judgment therein in such amount as may be found to be legally or equitably due each claimant, after deducting such sum or sums the claimant may have collected or received from the Indian or*

*Provisos.*  
No Federal obligation to be created.

Court jurisdiction limited.

Vol. 32, p. 641; Vol. 34, p. 140.

Petition to be filed.

Statements to accompany.

Statement of amount claimed.

Review of court's decree by Supreme Court.  
Vol. 43, p. 939.

Attendance of Attorney General, etc.

Depositions, etc., to be admitted in evidence.  
Vol. 34, p. 140.

Indians benefited by the said services or expenses: *Provided*, That nothing herein contained shall be construed to create any obligation not heretofore existing in law or equity against the United States in its governmental capacity or as trustee for the individual Indians receiving the benefit of such services and/or expenses: *Provided, further*, That the jurisdiction hereby conferred shall be limited to claims for services rendered and expenses incurred on behalf only of such Indian or Indians as were enrolled as citizens of the Choctaw Nation under the provisions of the Choctaw-Chickasaw supplemental agreement approved by the Act of July 1, 1902, and ratified by the Choctaws and Chickasaws on September 25, 1902 (32 Stat. 641, 651-652), and the provisions of this Act shall not be construed as authorizing the consideration or adjudication of any claim for services rendered and expenses incurred on behalf of any person not so enrolled.

SEC. 2. No claim herein authorized to be submitted to the Court of Claims shall be heard or adjudicated by the court unless a petition duly verified by affidavit of the claimant or by his heirs, executors, or administrators, or by his or their agent or attorney, shall be filed within one year from the date of this enactment, failing in which the claim shall be forever barred. The petition shall fully set forth the claim, what persons are owners thereof or interested therein, and when, and upon what consideration, such persons became so interested. The petition shall further set forth that no assignment or transfer of said claim or any part thereof or interest therein has been made, except as set forth in the petition; that the claimant is justly entitled to the amount therein claimed from the United States after allowing all just credits and offsets, and that the petitioner believes the facts as stated in the petition are true. The said petition shall contain an itemized statement of the amount or amounts claimed to be due, together with a full accounting for all sums had and received from the Indian or Indians benefited by the services rendered and expenses incurred.

SEC. 3. All judgments and decrees entered by the Court of Claims under the provisions of this Act shall be subject to review by the Supreme Court as provided in section 3 of the Act of February 13, 1925 (43 Stat. 936, 939).

SEC. 4. The Attorney General, or his assistants under his direction, shall appear for the defense and protection of the interests of the United States in all actions filed in the Court of Claims under the provisions of this Act, with the same power to interpose counter-claims, offsets, defenses for fraud practiced or attempted to be practiced by claimants, and other defenses, in like manner as he is required to defend the United States in other suits in said court.

SEC. 5. That in the hearing of any suit or suits brought in said court under the provisions of this Act the Court of Claims is hereby authorized to admit in evidence with such weight as to the court may seem proper all depositions and other competent evidence introduced in evidence and constituting a part of the record in said court in the case entitled "Estate of Charles F. Winton and others against Jack Amos and others", docket numbered 29,821.

Approved, June 28, 1934.

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# CONCURRENT RESOLUTIONS

OF THE

## TWO HOUSES OF CONGRESS



# CONCURRENT RESOLUTIONS OF CONGRESS

FIRST SESSION, SEVENTY-THIRD CONGRESS

## INVESTIGATION OF DIRIGIBLE DISASTERS

*Resolved by the House of Representatives (the Senate concurring),* That there is hereby created a joint committee to consist of five Members of the Senate to be appointed by the President of the Senate and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The committee shall select its own chairman.

Such committee is hereby authorized and directed to investigate the cause, or causes of the wreck of the Navy dirigible Akron and the wrecks of other Army and Navy dirigibles, to fix responsibility for the same, to inquire generally into the question of the utility of dirigibles in the military and naval establishments, and to make recommendations to the Senate and House of Representatives with respect to the future use of dirigibles for military or naval purposes. The committee shall report to the Senate and House of Representatives as soon as practicable the results of its investigations, together with its recommendations.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions or recesses of the present Congress, to employ such experts, clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take testimony, to have such printing and binding done, and to make such expenditures as it deems advisable, not exceeding \$5,000, one-half of said amount to be paid out of the contingent fund of the Senate and one-half out of the contingent fund of the House.

Subpoenas shall be issued under the signature of the chairman of the committee and shall be served by any person designated by him. The provisions of sections 102, 103, and 104 of the Revised Statutes shall be applicable to any person summoned as a witness under the authority of this resolution in the same manner as such provisions are applicable to any person summoned as a witness in the case of an inquiry before a committee of either House.

Passed, April 20, 1933.

April 20, 1933.  
[H. Con. Res., No. 15.]  
Investigation of diri-  
gible disasters.  
Joint committee cre-  
ated.

Duties.

Report and recom-  
mendations.

Powers conferred.  
Hearings, etc.

Personal services.

Testimony.

Expense from contin-  
gent funds of both  
Houses.

Serving subpoenas.

R.S. secs. 102-104,  
pp. 17, 18.  
U.S.C., p. 12.

## AGRICULTURAL ADJUSTMENT ACT

May 10, 1933.  
[H. Con. Res. No. 18.]  
Agricultural Adjust-  
ment Act.  
Ante, p. 31.  
Correction in enroll-  
ment of, directed.

*Resolved by the House of Representatives (the Senate concurring),* That in the enrollment of the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock

## CONCURRENT RESOLUTIONS OF CONGRESS.

*Ante*, p. 35.

land banks, and for other purposes, the Clerk of the House is authorized and directed to strike out the word "basic" where it appears in subsection (3) of section 8.

Passed, May 10, 1933.

June 13, 1933.  
[S. Con. Res. No. 2.]

The Constitution and  
Declaration of Independence.  
Printing of, as Senate  
document ordered.

Distribution.

## THE CONSTITUTION AND DECLARATION OF INDEPENDENCE

*Resolved by the Senate (the House of Representatives concurring),* That the Constitution of the United States, as amended to April 1, 1933, together with the Declaration of Independence, be printed as a Senate document, with an index, in such form and style as may be directed by the Joint Committee on Printing, and that three thousand five hundred additional copies be printed, of which one thousand copies shall be for the use of the Senate and two thousand five hundred copies for the use of the House of Representatives.

Passed, June 13, 1933.

June 13, 1933.  
[H. Con. Res. No. 23.]

Banking Act of 1933.  
*Ante*, p. 162.  
Corrections in enrollment of, directed.

*Ante*, p. 179.

## BANKING ACT OF 1933

*Resolved by the House of Representatives (the Senate concurring),* That the Clerk of the House of Representatives is authorized and directed, in the enrollment of the bill (H.R. 5661) entitled "An Act to provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes", to make the following necessary changes in the language of the bill:

In the first sentence of the second paragraph of subsection (y) of section 12B (added by the bill to the Federal Reserve Act, as amended), insert after "State bank" and before the parenthesis the words ", which term shall also include all banking institutions located in the District of Columbia"; and in the same sentence, strike out "State authority" and insert "authority".

In the seventh paragraph of subsection (l) of such section 12B, after "Corporation" insert a comma and "or a member of the Fund provided for in subsection (y)".

In the last paragraph of such subsection (y), strike out the word "title" and insert in lieu thereof the word "section".

Passed, June 13, 1933.

June 16, 1933.  
[H. Con. Res. No. 24.]

Adjournment of Congress, June 16, 1933.

## ADJOURNMENT

*Resolved by the House of Representatives (the Senate concurring),* That the two Houses of Congress shall adjourn on Friday, the 16th day of June 1933, and that when they adjourn on said day they stand adjourned sine die.

Passed, June 16, 1933.

# CONCURRENT RESOLUTIONS OF CONGRESS

## SECOND SESSION, SEVENTY-THIRD CONGRESS

### JOINT MEETING

January 3, 1934.  
[H.Con.Res., No. 25.]

*Resolved by the House of Representatives (the Senate concurring),*  
That the two Houses of Congress assemble in the Hall of the House  
of Representatives on Wednesday, the 3d day of January 1934, at  
1:30 o'clock in the afternoon, for the purpose of receiving such com-  
munications as the President of the United States shall be pleased to  
make to them.

Joint meeting of the  
two Houses to receive  
communications from  
the President.

Passed, January 3, 1934.

### UNITED STATES ROANOKE COLONY COMMISSION

January 27, 1934.  
[H.Con.Res., No. 27.]

*Resolved by the House of Representatives (the Senate concurring),*  
That the House concurrent resolution of the Seventy-second Congress  
establishing the United States Roanoke Colony Commission is con-  
tinued in full force and effect during the Seventy-third Congress, and,  
as continued, section 2 of such resolution is amended by striking  
out "1934" and inserting in lieu thereof "1937."

United States Roa-  
noke Colony Commis-  
sion.  
Time for report of  
extended.  
Vol. 47, p. 1782,  
amended.

Passed, January 27, 1934.

### DAM CONSTRUCTION, YAQUINA BAY

March 5, 1934.  
[S.Con.Res., No. 10.]

*Resolved by the Senate (the House of Representatives concurring),*  
That the Secretary of the Senate be, and he is hereby, authorized  
and directed, in the enrollment of the bill (S. 1759) "To extend the  
time for the construction of dams and dikes in Lincoln County,  
Oregon, to prevent the flow of waters of Yaquina Bay and River  
into Nute's Slough, Boones Slough, and sloughs connected there-  
with", to correct an error by striking out, in line 1, of the House  
engrossed amendment, the words "June 13" and inserting in lieu  
thereof "June 17".

Dam construction,  
Yaquina Bay.  
Correction in enrol-  
ment of bill (S. 1759)  
relating to, ordered.  
*Anet*, p. 398.

Passed, March 5, 1934.

### CENTENNIAL OF DEATH OF GENERAL LAFAYETTE

March 20, 1934.  
[H.Con.Res., No. 26.]

*Resolved by the House of Representatives (the Senate concurring),*  
That there is hereby established a special joint congressional com-  
mittee to be composed of five Members of the Senate, to be appointed  
by the President of the Senate and five Members of the House of  
Representatives, to be appointed by the Speaker of the House of  
Representatives, which shall make appropriate arrangements for the  
commemoration of the one hundredth anniversary of the death  
of General Lafayette, occurring on May 20, 1934.

Centennial of death  
of General Lafayette.  
Special joint commit-  
tee on arrangements to  
be appointed.  
*Anet*, p. 784.

*Post*, p. 1476.

## CONCURRENT RESOLUTIONS OF CONGRESS.

*Committee organization, dissolution, etc.*

SEC. 2. The committee shall select a chairman from among its members. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made. The committee shall cease to exist upon making its report as hereinafter provided.

*Acceptance of contributions authorized. Report thereof.*

SEC. 3. The committee is authorized to accept and make use of contributions for carrying out the purposes of this resolution and shall file with the Secretary of the Senate and the Clerk of the House of Representatives a report with respect to amounts so received and expended.

Passed, March 20, 1934.

March 27, 1934.  
[S.Con.Res., No. 11.]

## ALASKA PROHIBITION REPEAL

*Alaska prohibition repeal.  
Return of bill relative to, requested.  
Ante, p. 583.*

*Resolved by the Senate (the House of Representatives concurring),* That the President is requested to return to the Senate the bill (S. 2729, Seventy-third Congress, second session) to repeal an Act of Congress entitled "An Act to prohibit the manufacture or sale of alcoholic liquors in the Territory of Alaska, and for other purposes", approved February 14, 1917, and for other purposes.

Passed, March 27, 1934.

April 5, 1934.  
[S.Con.Res., No. 12.]

## ALASKA PROHIBITION REPEAL

*Alaska prohibition repeal.  
Reenrollment of bill concerning.  
Ante, p. 583.  
Vol. 39, p. 903.*

*Proviso.  
Granting pardons.*

*Resolved by the Senate (the House of Representatives concurring),* That the action of the Vice President and of the Speaker of the House of Representatives in signing the enrolled bill (S. 2729) entitled "An Act to repeal an Act of Congress entitled 'An Act to prohibit the manufacture or sale of alcoholic liquors in the Territory of Alaska, and for other purposes', approved February 14, 1917, and for other purposes", be rescinded, and that in the reenrollment of such bill the last proviso of section 1 reading as follows: "Provided, That the Governor of the Territory of Alaska, from and after the passage and approval of this Act, shall have the power and authority to grant pardons to persons theretofore convicted of violations of the aforesaid Act of February 14, 1917.", be stricken out.

Passed, April 5, 1934.

April 12, 1934.  
[H.Con.Res., No. 35.]

## FEES IN NATURALIZATION PROCEEDINGS

*Naturalization fees.  
Return of bill (H.R. 3521) relating to, requested.  
Ante, p. 597.*

*Resolved by the House of Representatives (the Senate concurring),* That the President is requested to return to the House of Representatives the bill (H.R. 3521, Seventy-third Congress, second session) entitled "An Act to reduce certain fees in naturalization proceedings, and for other purposes", for the purpose of correcting an error in said bill.

Passed, April 12, 1934.

## INVESTIGATION OF AIR- AND OCEAN-MAIL CONTRACTS

April 25, 1934.  
[S.Con.Res., No. 13.]

*Resolved by the Senate (the House of Representatives concurring),* That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Special Committee on Air and Ocean Mail Contracts of the Senate be, and is hereby, empowered to have printed one thousand five hundred additional copies of each and all parts of the testimony taken before said special committee during the Seventy-third Congress in connection with its investigation of air-mail and ocean-mail contracts.

Investigation of air-  
and ocean-mail con-  
tracts.  
Additional copies of  
testimony, ordered  
printed.  
Vol. 34, p. 1012.  
U.S.C., p. 1423.

Passed, April 25, 1934.

## LEGISLATIVE APPROPRIATION ACT, 1935.

May 2, 1934.  
[S.Con.Res., No. 14.]  
Legislative Approp-  
riation Act, 1935.  
Preamble.

Whereas H.R. 8617, the Legislative Branch Appropriation Act, 1935, passed by the House on March 22, 1934, contains a provision on page 9, beginning in line 12 and extending down to and including a part of line 17, as follows:

Inquiries and inves-  
tigations, Senate.  
*Ante*, p. 824.

"For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, \$144,455"; and

Whereas the Senate adopted an amendment (number 21) to the foregoing provision, as follows: On page 9, line 17, strike out "\$144,455" and insert: "\$268,955, of which \$150,000 shall be for the fiscal year 1934"; and

Whereas the conferees, in their report on the said bill, which was adopted by both Houses, recommended that the House recede from its disagreement to the said amendment and agree to the same, said amendment therefore not being subject to further amendment; and

Whereas the joint resolution (H.J.Res. 332) to provide appropriations to meet urgent needs in certain public services, and for other purposes, passed by the House on April 26, 1934, was amended by the Senate by inserting on page 1, after line 6, certain language, of which the following is a part:

Appropriations, cer-  
tain public services.  
*Ante*, p. 820.

Language inserted.

## "SENATE

"For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1934, \$150,000"; and

Whereas the foregoing amendment is a duplication of the appropriation of \$150,000 for the fiscal year 1934, as contained in the Legislative Branch Appropriation Act, 1935: Therefore be it

*Resolved by the Senate (the House of Representatives concurring),* That in the event the Senate amendment to the foregoing joint resolution (H.J.Res. 332) is agreed to by the House of Representatives, and the existing differences of the two Houses on certain amendments of the Senate to the bill, H.R. 8617, the Legislative Branch Appropriation Act, 1935, are adjusted, the Clerk of the House of Representatives be, and he is hereby, authorized and directed, in the enrollment of the said bill, H.R. 8617, to insert, in lieu of the language contained in said Senate amendment numbered 21, the following: "\$118,955".

Correction in enroll-  
ment directed.

Passed, May 2, 1934.

**May 3, 1934.**  
 [H. Con. Res., No. 37.] **CENTENNIAL OF DEATH OF GILBERT DU MOTIER, MARQUIS DE LA FAYETTE**

**Centennial of death of Gilbert du Motier, Marquis de La Fayette.**  
**Joint session in commemoration of, authorized.**

**Joint committee on arrangements to be appointed.**

*Ante*, pp. 784, 1473.

**That in commemoration of the one hundredth anniversary of the death of Gilbert du Motier, Marquis de La Fayette, the two Houses of Congress shall assemble in the Hall of the House of Representatives at 11 o'clock antemeridian, on Sunday, May 20, 1934.**

**That a joint committee consisting of five Members of the House of Representatives and five Members of the Senate shall be appointed by the Speaker of the House of Representatives and the President of the Senate, respectively, which is empowered to make suitable arrangements for fitting and proper exercises for the joint session of Congress herein authorized.**

**Invitations.**

**President of the United States invited to make address.**

**That invitations to attend the exercises be extended to the President of the United States and the Members of his Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the General of the Armies, the Chief of Staff of the Army, the Chief of Naval Operations, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard, and such other persons as the joint committee on arrangements shall deem proper.**

**That the President of the United States is hereby invited to address the American people at the joint session of the Congress in commemoration of the centennial anniversary of the death of General La Fayette.**

Passed, May 3, 1934.

**May 10, 1934.**  
 [H. Con. Res., No. 38.]

**REVENUE ACT OF 1934**

**Revenue Act of 1934. Additional copies of, ordered printed.**  
*Ante*, p. 680.

**Resolved by the House of Representatives (the Senate concurring),**  
**That there be printed eighteen thousand additional copies of Public Law Numbered 216, Seventy-third Congress, entitled "An Act to provide revenue, equalize taxation, and for other purposes", of which ten thousand copies shall be for the use of the House Document Room, five thousand copies for the use of the Senate Document Room, two thousand copies for the use of the Committee on Ways and Means of the House of Representatives, and one thousand copies for the use of the Committee on Finance of the Senate.**

Passed, May 10, 1934.

**May 17, 1934.**  
 [S. Con. Res., No. 16.]

**NATIONAL MOTOR VEHICLE THEFT ACT**

**National Motor Vehicle Theft Act. Correction in enrollment of (S. 2845), directed.**  
*Ante*, p. 794.

**Resolved by the Senate (the House of Representatives concurring),**  
**That the Secretary of the Senate is authorized and directed, in the enrollment of the bill (S. 2845) entitled "An Act to extend the provisions of the National Motor Vehicle Theft Act to other stolen property", to strike out "1929" where it appears in section 7 thereof and insert in lieu thereof "1919."**

Passed, May 17, 1934.

# CONCURRENT RESOLUTIONS OF CONGRESS.

1477

## DANIEL BOONE BICENTENNIAL

May 21, 1934.  
[S. Con. Res., No. 17.]

*Resolved by the Senate (the House of Representatives concurring),*  
That the President be requested to return to the Senate the bill  
(S. 3355) to authorize the coinage of 50-cent pieces in commemoration  
of the two-hundredth anniversary of the birth of Daniel Boone, to  
correct an error therein.

Daniel Boone Bicen-  
tennial.  
Return of bill relat-  
ing to, requested.  
*Ante*, p. 807.

Passed, May 21, 1934.

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## DANIEL BOONE BICENTENNIAL

May 22, 1934.  
[S. Con. Res., No. 18.]

*Resolved by the Senate (the House of Representatives concurring),*  
That the action of the Speaker of the House of Representatives and  
of the President of the Senate in signing the enrolled bill (S. 3355)  
to authorize the coinage of 50-cent pieces in commemoration of the  
two-hundredth anniversary of the birth of Daniel Boone, be rescinded,  
and that the Secretary of the Senate be authorized and directed to  
reenroll the bill with the following amendment:

Daniel Boone Bicen-  
tennial.  
Reenrollment of bill  
relating to, with  
amendment added,  
directed.  
*Ante*, p. 807.

Before the period at the end of section 1 insert a semicolon and the  
following: "but the United States shall not be subject to the expense  
of making the models or master dies or other preparations for this  
coinage."

Passed, May 22, 1934.

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## CITIZENSHIP AND NATURALIZATION

May 22, 1934.  
[S. Con. Res., No. 19.]

*Resolved by the Senate (the House of Representatives concurring),*  
That the President of the United States be, and he is hereby, requested  
to return to the House of Representatives the enrolled bill (H.R.  
3673) to amend the law relative to citizenship and naturalization, and  
for other purposes; that if and when the said bill is returned, the  
action of the Speaker of the House and of the President of the Senate  
in signing the said bill be deemed to be rescinded; and that the Clerk  
of the House of Representatives be, and he is hereby, authorized and  
directed to reenroll the said bill with the following amendments,  
namely:

Citizenship and nat-  
uralization.  
Return of bill (H.R.  
3673) relating to, re-  
quested.  
*Ante*, p. 797.

On page 2, line 1, of the House engrossed bill, strike out the fol-  
lowing: "and unless the child, in" and insert in lieu thereof a period  
and the word "In".

Reenrollment, with  
amendments added,  
directed.

On page 2, line 2, of said engrossed bill, after the word "alien"  
and the comma, insert the following: "the right of citizenship shall  
not descend unless the child".

Passed, May 22, 1934.

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## STATUE OF WILLIAM JENNINGS BRYAN

June 14, 1934.  
[H. Con. Res., No. 43.]

*Resolved by the House of Representatives (the Senate concurring),*  
That there shall be printed with illustrations, in such form and style  
as may be directed by the Joint Committee on Printing, five thou-  
sand copies of the proceedings held in connection with the unveiling  
of the statue of William Jennings Bryan, in Washington, District of  
Columbia, May 3, 1934, together with such other matter as may be  
relevant thereto, of which one thousand copies shall be for the use

Statue of William  
Jennings Bryan.  
Proceedings at un-  
veiling of, ordered  
printed.  
Vol. 46, p. 783; Vol.  
47, p. 335.

## CONCURRENT RESOLUTIONS OF CONGRESS.

## Distribution.

of the Senate, three thousand one hundred copies for the use of the House of Representatives, and nine hundred copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Nebraska.

## Illustrations.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

Passed, June 13, 1934.

June 14, 1934.  
[S.Con.Res., No. 20.]

## SAINT LAWRENCE WATERWAYS

Saint Lawrence Waterways.  
Additional copies of hearings on, ordered printed.  
Vol. 34, p. 1012.

*Resolved by the Senate (the House of Representatives concurring),* That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, empowered to have printed for its use two thousand copies of the hearings held before a subcommittee of said committee during the second session of the Seventy-second Congress, on the resolution (S.Res. 278), entitled "Resolution authorizing the Committee on Foreign Relations to make an investigation and to hold hearings, respecting matters touching the Saint Lawrence Waterways Treaty", part 1 and 2.

Passed, June 14, 1934.

June 16, 1934.  
[H.Con.Res., No. 32.]

## INVESTIGATING SALE, ETC., OF DAIRY PRODUCTS

Investigating sale, etc., of dairy products.  
Preamble.

Whereas an audit made by the Agricultural Adjustment Administration has revealed that distributors in four of the largest milksheds in the United States, for the five years ended December 31, 1933, made a net profit of 25.71 per centum on their net plant investment; and

Whereas this audit shows the net profits of distributors in each of the milksheds for the five-year period to be: Philadelphia (distributors handling 85 per centum of volume), 30.76 per centum; Boston (distributors handling 75 per centum of volume), 22.45 per centum; Saint Louis (distributors handling 67 per centum of volume), 14.64 per centum; and Chicago (distributors handling 90 per centum of volume), 25.84 per centum; and

Whereas during this same five-year period the wholesale price of milk sold by farmers declined 50 per centum, resulting in severe hardships and suffering to milk producers throughout the United States and strikes and violence in many rural and metropolitan centers; and

Whereas the aforesaid audit by the Agricultural Adjustment Administration has revealed net profits of milk distributors which tends to establish that similar conditions exist in other milksheds throughout the United States; and

Whereas an investigation in the District of Columbia pursuant to S.Res. 76, Seventy-third Congress, first session, revealed testimony which abundantly sustains the contention that over a period of years large milk distributors have attempted to create a monopoly in the District of Columbia, and largely as a result of these efforts farmers producing milk for the District of Columbia milkshed have received low returns for their product and have been placed at a serious disadvantage; and

Whereas the testimony adduced at hearings in the aforesaid investigation in the District of Columbia tends to prove that similar monopolistic efforts likewise exist in other milksheds in the United States; and

Whereas there is reason to believe that there exists a close tie between certain leaders of milk producers' cooperatives and milk distributors, which tie is unbeknown to milk producers and detrimental to their interests; and

Whereas the continuation of the practices now engaged in by milk distributors and certain leaders of milk cooperatives seriously endangers the efforts of the Agricultural Adjustment Administration and of the several States to alleviate and remedy the distress now widespread among dairy farmers in the United States, which distress if permitted to continue will result in the destruction of the already sorely pressed agricultural industry:

Therefore be it

*Resolved by the House of Representatives (the Senate concurring),*  
That the Federal Trade Commission is authorized and directed to investigate conditions with respect to the sale and distribution of milk and other dairy products within the territorial limits of the United States by any person, partnership, association, cooperative, or corporation, with a view to determining particularly whether any such person, partnership, association, cooperative, or corporation is operating within any milkshed of the United States in such a manner as to substantially lessen competition or to tend to create a monopoly in the sale or distribution of such dairy products, or is a party to any conspiracy in restraint of trade or commerce in any such dairy products, or is in any way monopolizing or attempting to monopolize such trade or commerce within the United States or any part thereof, or is using any unfair method of competition in connection with the sale or distribution of any such dairy products, or is in any way operating to depress the price of milk sold by producers. The Federal Trade Commission shall report to the House of Representatives as soon as practicable the result of its investigations, together with its recommendations, if any, for necessary remedial legislation.

Federal Trade Commission directed to conduct investigations within territorial limits of United States.

Report and recommendations to House of Representatives.

Passed, June 15, 1934.

#### STATUES OF GEORGE WASHINGTON AND ROBERT E. LEE

June 15, 1934.

[H. Con. Res., No. 45.]

*Resolved by the House of Representatives (the Senate concurring),*  
That there be printed with illustrations, in such form and style as may be directed by the Joint Committee on Printing, seven thousand copies of the proceedings in Congress, together with the proceedings held in the Rotunda of the Capitol and such other matter as may be relevant thereto, upon the acceptance of the statuses of George Washington and Robert E. Lee, presented by the State of Virginia, of which one thousand shall be for the use of the Senate and two thousand three hundred for the use of the House of Representatives, and the remaining three thousand seven hundred copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Virginia.

Statutes of George Washington and Robert E. Lee.  
Proceedings on acceptance of, ordered printed.

Distribution.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

Illustrations.

Passed, June 15, 1934.

June 15, 1934.  
[H.Con.Res., No. 46.]

Alcoholic beverages  
in Canal Zone.  
Provisions of Senate  
bill, etc., to be incorpo-  
rated in Canal Zone  
Code.  
*Ante*, pp. 1116, 1122.

*Resolved by the House of Representatives (the Senate concurring),* That the provisions of S. 3696, entitled "An Act authorizing the President to make rules and regulations in respect to alcoholic beverages in the Canal Zone, and for other purposes", shall, with necessary editorial changes, be incorporated and printed in the proper place in the "Canal Zone Code" (H.R. 8700) prior to its enrollment and signature.

Passed, June 15, 1934.

June 16, 1934.  
[S.Con.Res., No. 23.]

Deficiency Appropri-  
ations Act.  
Correction in enroll-  
ment of, directed.  
*Ante*, p. 1022.

George F. Brumm.  
Pay to sisters.

*Resolved by the Senate (the House of Representatives concurring),* That the Clerk of the House of Representatives is authorized in the enrollment of the bill (H.R. 9830) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes, to insert on page 2, after line 23, of the House engrossed bill the following:

"For payment to Susan I. Brumm and Joan L. Brumm, sisters of George F. Brumm, late a Representative from the State of Pennsylvania, \$8,500."

Passed, June 16, 1934.

June 18, 1934.  
[H.Con.Res., No. 39.]

Centenary observ-  
ance of death of La Fay-  
ette.  
Proceedings at joint  
session ordered print-  
ed.  
*Ante*, pp. 1473, 1476.

Distribution.

*Resolved by the House of Representatives (the Senate concurring),* That there shall be compiled, and printed with illustrations, in such form and style as may be directed by the Joint Committee on Printing, seven thousand copies of the proceedings at the joint session of the two Houses of Congress in the Hall of the House of Representatives on May 20, 1934, held in commemoration of the centennial anniversary of the death of Gilbert du Motier, Marquis de La Fayette, together with such other matter as the committee may deem pertinent, of which one thousand copies shall be for the use of the Senate, four thousand copies shall be for the House of Representatives, and two thousand copies for the use of the Joint Committee on Arrangements.

Passed, June 16, 1934.

June 18, 1934.  
[H.Con.Res., No. 44.]

Prayers by the Chap-  
lain of the House.  
Printing of, ordered.

#### PRAYERS BY THE CHAPLAIN OF THE HOUSE

*Resolved by the House of Representatives (the Senate concurring),* That two thousand five hundred copies of the prayers offered by the Reverend James Shera Montgomery, Chaplain of the House of Representatives, at the opening of the daily sessions of the House during the Seventy-second and Seventy-third Congresses, be printed and bound for the use of the House of Representatives.

Passed, June 16, 1934.

# CONCURRENT RESOLUTIONS OF CONGRESS.

1481

TEXAS CENTENARY, JOINT COMMITTEE

June 18, 1934.  
[S. Con. Res., No. 21.]

*Resolved by the Senate (the House of Representatives concurring),*  
That there is hereby established a joint congressional committee to be composed of three Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, to inquire into and report to Congress to what extent, if any, the Federal Government should participate in the Centennial of the Independence of the Republic of Texas, to be held in the State of Texas in the year 1936.

Texas centenary,  
joint committee.  
Appointment au-  
thorized to consider  
Federal participation,  
etc.

The expenses of the committee, including necessary clerical assistance and traveling expenses, which shall not exceed \$5,000, shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers, approved by the chairman.

Division of expenses.

Passed, June 18, 1934.

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## TAXATION OF FIREARMS, ETC.

June 18, 1934.  
[S. Con. Res., No. 24.]

*Resolved by the Senate (the House of Representatives concurring),*  
That the Clerk of the House is authorized and directed, in the enrollment of the bill (H.R. 9741) to provide for the taxation of manufacturers, importers, and dealers in certain firearms and machine guns, to tax the sale or other disposal of such weapons, and to restrict importation and regulate interstate transportation thereof, to insert after line 22, on page 4 of the House bill, the following:

Taxation of firearms,  
etc.  
Correction in enroll-  
ment of bill, directed.  
*Ante*, p. 1236.

(c) Under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe, and upon proof of the exportation of any firearm to any foreign country (whether exported as part of another article or not) with respect to which the transfer tax under this section has been paid by the manufacturer, the Commissioner shall refund to the manufacturer the amount of the tax so paid, or, if the manufacturer waives all claim for the amount to be refunded, the refund shall be made to the exporter.

Matter inserted.

Passed, June 18, 1934.

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## SIGNING ENROLLED BILLS, ETC., AFTER ADJOURNMENT

June 18, 1934.  
[H. Con. Res., No. 48.]

*Resolved by the House of Representatives (the Senate concurring),*  
That notwithstanding the adjournment of the second session of the Seventy-third Congress, the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to sign any enrolled bill or joint resolution duly passed by the two Houses, and which have been examined by the Committee on Enrolled Bills of each House and found truly enrolled.

Enrolled bills and  
resolutions.  
Signing after adjourn-  
ment of Congress.

Passed, June 18, 1934.

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## ADJOURNMENT

June 18, 1934.  
[H. Con. Res., No. 47.]

*Resolved by the House of Representatives (the Senate concurring),*  
That when the Senate shall adjourn as of the legislative day of June 6, 1934, and the House of Representatives shall adjourn as of the legislative day of June 15, 1934, they shall stand adjourned sine die.

Adjournment of Con-  
gress, June 18, 1934.

Passed, June 18, 1934.



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# TREATIES AND CONVENTIONS

CONCLUDED BY THE

UNITED STATES OF AMERICA

WITH

FOREIGN NATIONS

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1483



# TREATIES AND CONVENTIONS

*Convention between the United States of America and Panama modifying claims convention of July 28, 1926. Signed at Panama, December 17, 1932; ratification advised by the Senate, February 18, 1933; ratified by the President, February 23, 1933; ratified by Panama, March 20, 1933; ratifications exchanged at Panama, March 25, 1933; proclaimed March 30, 1933.*

December 17, 1932.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

WHEREAS, a convention between the United States of America and the Republic of Panama to modify certain provisions of the convention for the settlement and amicable adjustment of claims presented by the citizens of each country against the other, signed at Washington on July 28, 1926, was concluded and signed by their respective plenipotentiaries at Panama on the seventeenth day of December, one thousand nine hundred and thirty-two, the original of which convention, being in the English and Spanish languages, is word for word as follows:

The United States of America and the Republic of Panama desiring to modify certain provisions of a Convention for the settlement and amicable adjustment of claims presented by the citizens of each country against the other, signed at Washington July 28, 1926, have decided to conclude a Convention for that purpose and have nominated as their plenipotentiaries:

The President of the United States of America, Mr. Roy Tasco Davis, Envoy Extraordinary and Minister Plenipotentiary of the United States to Panama; and

The President of the Republic of Panama, His Excellency Doctor J. Demóstenes Arosemena, Secretary for Foreign Affairs of the Republic of Panama;

*Claims convention  
with Panama.  
Preamble.*

*Contracting powers.*

Los Estados Unidos de América y la República de Panamá, deseosos de modificar ciertas estipulaciones de una Convención para el arreglo y ajuste amigable de reclamaciones presentadas por ciudadanos de cada uno de los dos países contra el otro, firmada en Washington el 28 de Julio de 1926, han decidido concluir una Convención a tal propósito y han nombrado como sus plenipotenciarios:

El Presidente de los Estados Unidos de América, al Señor Roy Tasco Davis, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos en Panamá; y

El Presidente de la República de Panamá, a Su Excelencia el Doctor Don Juan Demóstenes Arosemena, Secretario de Relaciones Exteriores de la República de Panamá;

*Plenipotenciaries.*

who after having communicated to each other their respective full powers found to be in due and proper form, have agreed upon the following articles:

### ARTICLE I

*Time extended for consideration, etc., of claims.*

The second paragraph of Article VI of the Convention between the United States of America and the Republic of Panama for the settlement and amicable adjustment of claims by citizens of each country against the other, signed at Washington July 28, 1926, is amended to read as follows:

The Commission shall be bound to hear, examine and decide, before July 1, 1933, all the claims filed on or before October 1, 1932.

### ARTICLE II

*Payment of awards extended to July 1, 1936.*

Article VIII of the Claims Convention signed at Washington on July 28, 1926, by plenipotentiaries of the United States of America and the Republic of Panama is amended to read as follows:

The total amount awarded in all the cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance shall be paid at the city of Panama or at Washington, in gold coin or its equivalent the first of July, 1936, or before, to the Government of the country in favor of whose citizens the greater amount may have been awarded.

### ARTICLE III

*Exchange of ratifications.*

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective Constitutions. Ratifications of this Convention

quienes después de haberse comunicado el uno al otro sus respectivos plenos poderes y encontrado que están en forma debida y adecuada, han convenido en los siguientes artículos:

### ARTICULO I

El segundo párrafo del Artículo VI de la Convención entre los Estados Unidos de América y la República de Panamá para el arreglo y ajuste amigable de las reclamaciones presentadas por ciudadanos de cada uno de los dos países contra el otro, firmada en Washington el 28 de Julio de 1926, queda enmendado como sigue:

La Comisión estará obligada a oír, sustanciar y fallar, antes del 1º de Julio de 1933, todas las reclamaciones presentadas el 1º de Octubre de 1932, o antes.

### ARTICULO II

El Artículo VIII de la Convención de Reclamaciones firmada en Washington el 28 de Julio de 1926 por Plenipotenciarios de los Estados Unidos de América y de la República de Panamá, queda enmendada como sigue:

La cantidad total adjudicada en todos los casos decididos a favor de los ciudadanos de un país será deducida de la cantidad total adjudicada a los ciudadanos del otro país, y el saldo será pagado en la ciudad de Panamá o en Washington, en moneda de oro o su equivalente, el 1º de Julio de 1936, o antes, al Gobierno del país en favor de cuyos ciudadanos se haya adjudicado la cantidad mayor.

### ARTICULO III

Esta Convención será ratificada por las Altas Partes Contratantes, de acuerdo con sus respectivas Constituciones. Las ratificaciones serán canjeadas en la ciudad

shall be exchanged in Panama as soon as practicable and the Convention shall take effect on the date of the exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed and affixed their seals to this Convention.

Done in duplicate in Panama this seventeenth day of December, 1932.

de Panamá tan pronto como sea dable y la Convención comenzará a surtir sus efectos desde la fecha en que se verifique el canje.

En testimonio de lo cual, los Plenipotenciarios respectivos han firmado y sellado esta Convención.

Hecho por duplicado en Panamá el día diecisiete de Diciembre de 1932.

Signatures.

[SEAL] ROY T. DAVIS  
J D AROSEMENA [SEAL]

AND WHEREAS the said convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged in the city of Panama on the twenty-fifth day of March, one thousand nine hundred and thirty-three;

Ratifications exchanged.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of March in the year of our Lord one thousand nine hundred and thirty-three and of the Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,

*Secretary of State.*

March 14, 1932.

*Convention between the United States of America and Panama modifying former convention respecting the transit of alcoholic liquors through the territory of the Canal Zone. Signed at Panama, March 14, 1932; ratification advised by the Senate, June 18, 1932; ratified by the President, June 24, 1932; ratified by Panama, March 20, 1933; ratifications exchanged at Panama, March 25, 1933; proclaimed, April 7, 1933.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Convention with  
Panama modifying  
convention for prevention  
of smuggling of in-  
toxicating liquors.  
Preamble.  
Vol. 43, p. 1878.

WHEREAS a convention between the United States of America and the Republic of Panama, modifying the convention for the prevention of the smuggling of intoxicating liquors, signed between the two countries at Washington on June 6, 1924, and regulating the transportation of alcoholic liquors through the territory of the Canal Zone from one point in the Republic of Panama to another point in that Republic, was concluded and signed by their respective plenipotentiaries at the city of Panama on the fourteenth day of March one thousand nine hundred and thirty-two, the original of which convention, being in the English and Spanish languages, is word for word as follows:

Contracting powers.

Vol. 43, p. 1878.

Vol. 33, p. 2235.

The President of the United States of America and the President of the Republic of Panama desiring, in accordance with the provisions of Article V of the Convention between the United States of America and the Republic of Panama for the Prevention of Smuggling of Intoxicating Liquors, signed at Washington, June 6, 1924, to modify the said Convention by adding to it an article which shall regulate transit through the territory of the Canal Zone, referred to in Article VI of the Treaty signed at Washington, on November 18, 1903, with respect to the shipment of alcoholic liquors from one point in the Republic of Panama to another point in the Republic of Panama, have decided to conclude a convention for that purpose and have appointed as their plenipotentiaries:

El Presidente de la República de Panamá y el Presidente de los Estados Unidos de América, de conformidad con las estipulaciones del Artículo 5º del Convenio entre la República de Panamá y los Estados Unidos de América para la prevención del contrabando de licores embriagantes, firmado en Washington el 6 de Junio de 1924, y deseando modificar el dicho Convenio añadiéndole un artículo que reglamente el tránsito por el territorio de la Zona del Canal, estipulado en el Artículo VI del Tratado firmado en Washington el 18 de Noviembre de 1903, en lo que respecta al embarque de licores alcohólicos desde un punto de la República de Panamá a otro punto de la República de Panamá, han acordado celebrar un Convenio con tal propósito y han nombrado como sus Plenipotenciarios:

The President of the United States of America, Mr. Roy T. Davis, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Panama; and

The President of the Republic of Panama, His Excellency Enrique Geenzier, Secretary for Foreign Affairs;

Who, having communicated their full powers found in good and due form, have agreed as follows:

#### ARTICLE I

No penalty or forfeiture under the laws of the United States of America shall be applicable or attach to alcoholic liquors or to vehicles or persons by reason of the carriage of such liquors when they are in transit under seal and under certificate by Panamanian authority from the terminal ports of the Canal to the cities of Panama or Colon or from the cities of Panama or Colon to the terminal ports of the Canal when said liquors are intended for exportation, or between the cities of Panama or Colon and any other points of the Republic or between any two points of the territory of the Republic when in any of these cases the direct or natural means of communication is through Canal Zone territory and provided that such liquors remain under the said seals and certificates while they are passing through Canal Zone territory.

#### ARTICLE II

Article I of the present convention shall be deemed to constitute an integral part of the convention of June 6, 1924, and as such shall be subject to the provisions of that convention regarding modification and termination.

If the substance of Article I of the present convention be incorporated in any treaty which may hereafter be concluded between

El Presidente de la República de Panamá, a Su Excelencia el señor Enrique Geenzier, Secretario de Relaciones Exteriores de la República de Panamá, y

El Presidente de los Estados Unidos de América, al señor Roy T. Davis, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos de América ante la República de Panamá,

Quienes, habiéndose comunicado sus plenos poderes y hallándolos en buena y debida forma, han convenido en lo siguiente:

#### ARTICULO I

No se aplicará pena o decomiso conforme a las leyes de los Estados Unidos de América ni a los licores alcohólicos ni a los vehículos ni a las personas, por razón del transporte de tales licores cuando se hallen en tránsito, bajo sello y certificado de autoridad panameña, de los puertos terminales del Canal a las ciudades de Panamá y Colón y de las ciudades de Panamá y Colón a los puertos terminales del Canal, cuando dichos licores sean para la exportación, y entre las ciudades de Panamá y Colón y cualquiera otro punto de la República y entre dos puntos cualesquiera del territorio de la República, cuando en cualquiera de esos casos el medio directo o natural de comunicación sea a través del territorio de la Zona del Canal y siempre que tales licores permanezcan bajo dichos sello y certificado mientras pasen por el territorio de la Zona del Canal.

No penalty attached  
to transit of liquors  
under seal through  
Canal Zone.

#### ARTICULO II

El Artículo I de la presente Convención está destinado a constituir parte integrante de la Convención de 6 de Junio de 1924, y como tal estará sujeto a las estipulaciones de esa Convención en lo relativo a su modificación y a su terminación.

Article I deemed  
integral part of existing  
convention.  
Vol. 43, p. 1878.

Si la esencia del Artículo I de la presente Convención fuere incorporada en cualquier tratado que en lo futuro pueda pactarse

Lapse of Article I if  
incorporated in future  
treaty.

the United States of America and the Republic of Panama, the present convention shall automatically lapse when such treaty shall come into force.

entre la República de Panamá y los Estados Unidos de América, la presente Convención caducará automáticamente cuando tal tratado entre en vigor.

### ARTICLE III

Exchange of ratifications.

The present convention shall be ratified by the High Contracting Parties in accordance with the requirements of the constitutions of the United States of America and the Republic of Panama, respectively, and the ratifications shall be exchanged at Panama as soon as possible. The convention shall enter into force on the date of the exchange of ratifications.

Signatures.

In witness whereof, the respective Plenipotentiaries have signed the present Convention in duplicate, in the English and Spanish languages, both of which shall be authentic, and have hereunto affixed their seals.

Done in the City of Panama this fourteenth day of March, in the year of our Lord one thousand nine hundred and thirty two.

Roy T. Davis  
[SEAL]

### ARTICULO III

La presente Convención será ratificada por las Altas Partes contratantes de acuerdo con lo estipulado en las Constituciones de la República de Panamá y de los Estados Unidos de América, y las ratificaciones serán canjeadas en Panamá tan pronto como sea posible. Esta Convención entrará en vigor en la fecha del canje de ratificaciones.

En testimonio de lo cual, los respectivos Plenipotenciarios han firmado la presente Convención en duplicado, en las lenguas castellana e inglesa, en dos ejemplares auténticos, a los cuales han adherido sus sellos respectivos.

Hecho en la ciudad de Panamá, hoy, catorce de marzo del año de mil novecientos treinta y dos.

ENRIQUE GEENZIER  
[SEAL]

Ratifications changed.

AND WHEREAS the said convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged at the city of Panama on the twenty-fifth day of March one thousand nine hundred and thirty-three;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this seventh day of April in the year of our Lord one thousand nine hundred and thirty-[SEAL] three and of the Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL,  
Secretary of State.

March 3, 1933.  
April 24, 1933.

*Parcel post agreement between the United States of America and New Zealand with regulations of execution. Signed at Wellington, March 3, 1933; at Washington, April 24, 1933; approved by the President, May 3, 1933.*

March 3, 1933.  
April 24, 1933.

## AGREEMENT

between

NEW ZEALAND AND THE UNITED STATES OF AMERICA  
CONCERNING THE EXCHANGE OF PARCEL POST

The undersigned, provided with full powers by their respective governments, have by common consent and subject to ratification by the competent superior authorities, drawn up the following Agreement:

Parcel post agreement  
with New Zealand.  
Preamble.

## ARTICLE I.

*Object of the Agreement.*

Object.

1. Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on one hand, and New Zealand (including the Cook Islands [Rarotonga, Mangaia, Atiu, Aitutaki, Mitiaro, Mauke (or Parry), and Hervey or Manuae)]; Palmerston (or Avarua), Niue (or Savage), Danger, Rakahanga, Manihiki, Penrhyn (or Tongareva), and Suwarrow Islands; also Western Samoa (Savaii and Upolu Islands) and the Tokelau (Union) Group [Atafu, Fakaofa, and Nukunonu Islands]) on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

Territory embraced.

## ARTICLE II.

*Transit Parcels.*

Transit parcels.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel-post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

Rights guaranteed.

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

Notice.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

Intermediate Admin-  
istration, requirements.

## ARTICLE III.

*Postage and Fees.*

**Postage, etc.  
Collecting, from  
sender.**

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, the insurance fees and the fees for return receipts, that may from time to time be prescribed by its regulations.

**Prepayment.**

2. Except in the case of returned or redirected parcels, the postage and such of the fees mentioned in the preceding section as are applicable, must be prepaid.

## ARTICLE IV.

**Preparation of par-  
cels.**

*Preparation of Parcels.*

**Packing.**

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

**Prohibitions.**

**Articles specified.**

1. The following articles are prohibited transmission by parcel post:

(a) A letter or a communication having the nature of a letter. Nevertheless it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, that of the sender being added.

**With different ad-  
dress.**

(b) An enclosure which bears an address different from that placed on the cover of the parcel.

(c) Any live animal, except leeches.

**Letters, etc.**

(d) Any article the admission of which is forbidden by the Customs or other laws or regulations in force in either country.

**Explosives.**

(e) Any explosive or inflammable article, and in general, any article the conveyance of which is dangerous, including articles which from their nature or packing may be a source of danger to postal employees or may soil or damage other parcels.

(f) Obscene or immoral articles.

**Live animals.**

(g) It is, moreover, forbidden to send coin, platinum, gold or silver (whether manufactured or unmanufactured), precious stones, jewels, or other precious articles in uninsured parcels.

**Treatment of.**

If a parcel which contains coin, platinum, gold or silver (whether manufactured or unmanufactured), precious stones, jewels, or other precious articles is sent uninsured, it shall be placed under insurance by the country of destination and treated accordingly.

**Prohibited articles  
erroneously handled.**

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

**Parcel containing a  
letter.**

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail the return of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

March 3, 1933.  
April 24, 1933.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility towards the customs or police authorities, or the sender.

List of prohibited articles to be published.

**ARTICLE VI.***Insurance.*

Insurance.

1. Parcels may be insured up to the amount of 500 francs gold or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Maximum.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

Limitation.

**ARTICLE VII.***Indemnity.*

Indemnity.

1. Except in the cases mentioned in the section following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the abstraction of or damage to their contents.

Allowance to sender.

The sender, or other rightful claimant, is entitled on this account to an indemnity corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, at the ordinary estimated value) at the time and place of mailing of the parcel, provided in any case that the indemnity shall not exceed the amount for which the parcel was insured and on which the insurance fee has been collected, or the maximum of 500 francs gold.

Amount restricted.

In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to the return of the postal charges. However, the insurance fees are not in any case returned.

Return of postage on loss of parcel.

In the absence of special agreement to the contrary between the countries involved no indemnity will be paid by either country for the loss of transit insured parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.

Transit originating in a third country destined for either contracting power.

When an insured parcel originating in one country and addressed for delivery in the other country is reforwarded from there to a third country or is returned to a third country at the request of the sender or addressee, the party entitled to the indemnity, in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such cases, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obligated to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limit of the present Agreement.

Parcel forwarded to a third country.

Responsibility for error.

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**Release of responsibility.**  
Unconditional acceptance.  
Loss, etc., through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc.

Prohibited articles.

Declared above real value.

Seized, because of false declarations.

Unclaimed within a year.

Matter of no intrinsic value, etc.

Indirect loss, etc.

Indemnity payment.

Deferred, in exceptional cases.

Payment by country of origin if country of destination delays 9 months.

Country responsible.

Claim for repayment.

Responsibility of receiving country unable to show disposition.

2. The Administrations are relieved of all responsibility.
  - (a) In case of parcels of which the addressee has accepted delivery without reservation.
  - (b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure.
  - (c) When they are unable to account for parcels in consequence of the destruction of official documents through force majeure.
  - (d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article.
  - (e) For parcels which contain prohibited articles.
  - (f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin.
  - (g) For parcels seized by the customs because of false declaration of contents.
  - (h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel.
  - (i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Convention or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.
3. No compensation shall be given for indirect loss or loss of profits of any parcel transmitted under this Agreement.
4. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.
 

However, the paying Postal Administration may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.
5. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.
6. The obligation of paying the indemnity shall rest with the Postal Administration to which the mailing office is subordinate, provided that in cases where the indemnity is paid to the addressee in accordance with the second paragraph of the first section, it shall rest with the Postal Administration of destination.
 

The paying Administration retains the right to make a claim against the Administration responsible.
7. Until the contrary is proved, responsibility for an insured parcel rests with the Postal Administration which having received the parcel without making any observation and being furnished all necessary particulars for inquiry is unable to show its proper disposition.

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8. Responsibility for loss, abstraction or damage of an insured parcel discovered by the receiving office of exchange at the time of opening the receptacles and duly notified to the dispatching office of exchange by Bulletin of Verification shall fall upon the Postal Administration to which the dispatching office of exchange is subordinate unless it be proved that the damage occurred in the service of the receiving Administration.

Dispatching office responsible if loss discovered by receiving office.

9. If the loss, abstraction or damage has occurred in course of conveyance, without its being possible to ascertain in which service the irregularity took place, the Postal Administrations concerned bear the loss in equal shares.

Loss, etc., in transit.

10. The Postal Administration responsible or on whose account payment is made in accordance with Section 5 is bound to repay to the country making payment on its behalf, without delay and within not more than six months after receiving notice of payment, the amount of indemnity paid.

Repayment to country paying.

11. Repayments are to be made free of cost to the creditor Administration by means of either a money order or a draft, in money valid in the creditor country, or by such other means as may be mutually agreed upon by correspondence.

Means to be used.

12. Repayments of indemnity by one country to the other will be made on the gold basis.

Repayments on gold basis.

13. The responsibility of properly enclosing, packing and sealing insured parcels rests upon the sender, and the postal service of neither country will assume liability for loss, rifling or damage arising from defects which may not be observed at the time of posting.

Sender responsible for proper packing, etc.

14. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel; but either Administration is at liberty to indemnify for the loss, abstraction or damage which may occur in its service, without recourse to the other Administration.

No responsibility for ordinary parcels.

## ARTICLE VIII.

### *Certificate of Mailing. Receipts.*

Certificate of mailing.

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose; and each country may fix a reasonable fee therefor.

Furnished sender, on request.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

Receipt.

## ARTICLE IX.

### *Return Receipts and Inquiries.*

Return receipts and inquiries.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charge, if any, as the country of origin of the parcel shall stipulate and under the conditions laid down in the Regulations.

Advice of delivery.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also of an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery.

Request for information.

3. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which *prima facie* was not due to the fault of the Postal Service.

Irregularity complaints.

## ARTICLE X.

**Recall and change of address.****Allowed, on request.**

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in New Zealand shall be addressed to the Central Administration at Wellington.

## ARTICLE XI.

**Customs charges.***Customs Charges.***Imposed by country of destination.**

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations.

## ARTICLE XII.

*Customs Charges to be Cancelled.***Cancellation, if returned or redirected.**

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in New Zealand and the United States of America.

## ARTICLE XIII.

**Customs clearance.***Fee for Customs Clearance.***Fee.**

The office of delivery may collect from the addressee either in respect of delivery to the customs and clearance through the customs or in respect of delivery to the customs only, a fee not exceeding 12 cents (60 centimes) per parcel.

## ARTICLE XIV.

**Delivery.***Delivery to the Addressee. Fee for Delivery at the Place of Address.***To addressees.**

1. Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect in respect of delivery of parcels to the addressee a fee not exceeding 10 cents (5 pence) per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

## ARTICLE XV.

*Warehousing Charges.***Warehousing charges.**

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "Poste Restante" or which are not claimed within the prescribed period. This charge may in no case exceed one dollar (5 francs).

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## ARTICLE XVI.

*MisSENT Parcels.*

Ordinary parcels, when misSENT, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by that Administration. Insured parcels, when misSENT, may not be reforwarded to their destination except as insured mail. If this is impossible, they must be returned to origin.

Provisions for ordinary parcels.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

Insured mail.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the misSENT parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

Refund, if parcel returned.

Reforwarding to a third country.

## ARTICLE XVII.

*Redirection.*

Redirection.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

Allowed on payment of additional charges.

For the parcels redirected in its territory, the Postal Administration of the country of destination may collect additional charges fixed by its internal regulations. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. A parcel may be redirected out of the country of original address only at the sender's or the addressee's request and provided that the parcel complies with the conditions required for its further conveyance. Insured parcels shall not be redirected to another country except as insured mail.

Forwarding to any other country.

New postage, as well as new insurance fees, in the case of insured parcels, may, if not prepaid, be collected upon delivery.

Charges may be collected on delivery.

The sender is entitled to forbid, by means of a suitable entry on the dispatch note and on the parcel, any redirection.

Forbidden, if so instructed.

## ARTICLE XVIII.

*Sale or Destruction.*

Sale or destruction.

1. Articles liable to deterioration or corruption, and these only, may be sold immediately even on the outward or return journey, without previous notice or judicial formality, for the benefit of the right party.

Articles liable to deterioration.

If for any reason a sale is impossible, the spoilt or worthless articles shall be destroyed. The sale or destruction shall be recorded and report made to the Postal Administration of the country of origin.

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April 24, 1933.*Parcels marked "Abandon."*

2. After the expiration of thirty days from the date of receipt at the office of destination, undeliverable parcels which the sender has marked "Abandon" may be sold at auction or otherwise disposed of as provided by the legislation of the country of destination. When insured parcels are involved, proper record will be made and the Administration of the country of origin notified as to the disposition made of the parcels. The Administration of the country of origin shall also be notified when for any other reason an insured parcel which is not delivered is not returned to the country of origin.

## ARTICLE XIX.

*Nondelivery.**Requests, at time of mailing.**Return to sender, if not otherwise indicated.**Provisions governing nondeliverable parcel.**Charges.**Credits.*  
*Ante, p. 1491; post, p. 1500.**Parcel in transit.**In case of reforwarding, etc.**Ante, p. 1496.**Parcels to or from a third country.**Nondelivery.*

1. The sender of a parcel may make a request at the time of mailing, as to the disposal of the parcel in the event of it not being deliverable as addressed, the particulars of which are set forth in the Regulations.

2. If the sender does not make any request in accordance with the foregoing Section, or the sender's request has not resulted in delivery, undeliverable parcels will be returned to the sender without previous notification at the expiration of thirty days, while parcels refused by the addressee will be returned at once.

3. The provisions of Article XX, Section 4 shall be applied to a parcel to be returned to the country of origin in consequence of nondelivery.

New postage, as well as new insurance fees, in the case of insured parcels, may, if not prepaid, be collected from the sender upon the return of his parcel.

## ARTICLE XX.

*Charges.*

1. For each parcel exchanged between the contracting countries (Article I) the dispatching office credits to the office of destination, in the parcel bills, the quotas due to the latter, and indicated in the Regulations of Execution.

2. The sums to be paid for a parcel in transit, that is, parcels destined either for a possession or for a third country, are likewise indicated in the Regulations of Execution.

3. In the case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

4. In case of reforwarding or return to origin of a parcel the redispaching office recovers from the other office the quota due to it, namely, as the case may be,

(a) the charges prescribed by Section 1 above.

(b) the charges for reforwarding or return.

(c) the customs clearance, delivery and storage charges provided for by Articles XIII, XIV, and XV.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a), (b) and (c) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges, because they can not be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

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## ARTICLE XXI.

*Postal charges other than those prescribed not to be collected.*Charges other than  
prescribed.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

Prohibition of.

## ARTICLE XXII.

*Air Parcels.*

Air parcels.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where parcels are conveyed by the air routes.

Surtax.

## ARTICLE XXIII.

*Temporary Suspension of Service.*

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel post service, either entirely or partially, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

Temporary suspen-  
sion of service.

## ARTICLE XXIV.

*Matters not provided for in the Present Agreement.*

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or return of insured parcels, the obtaining and disposition of return receipts therefor, and adjustment of indemnity claims in connection therewith, shall be governed by the provisions of the Universal Postal Convention and its Regulations of Execution, insofar as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States or of New Zealand, or the decisions made by one country or the other, are applicable in the respective country.

Matters not herein  
provided for.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar Agreement through correspondence may be made with a view to the exchange of C.O.D. parcels.

Universal Postal  
Convention, etc., pro-  
visions to govern.  
Vol. 46, p. 2523.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

Details to be fixed by  
common consent.Mutual notice of  
postal laws, etc.

## ARTICLE XXV.

*Entry into Force and Duration of Agreement.*

Entry into force, etc.

1. This Agreement substitutes and abrogates that signed at Washington, the eighteenth day of April, one thousand nine hundred, and at Wellington the twelfth day of February, one thousand nine hundred.

Former Agreement  
abrogated.  
Vol. 32, p. 1843.

2. It shall become effective on ratification, but pending ratification it may be put into force administratively on a date to be mutually settled between the Administrations of the two countries.

Effective date.

March 3, 1933.  
April 24, 1933.**Duration.**

It shall remain in force until one of the Administrations of the two contracting countries has given notice to the other, six months in advance, of its intention to terminate it.

**Signatures.**

3. Done in duplicate and signed at Washington the 24th day of April 1933, and at Wellington the third day of March 1933

ADAM HAMILTON  
*Postmaster General of New Zealand.*

[SEAL]

JOSEPH C. O'MAHONEY  
*Acting Postmaster General of the  
United States of America.*

**Approval by the President.** The foregoing Parcel Post Agreement between the United States of America and New Zealand has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President.

CORDELL HULL

*Secretary of State.*

WASHINGTON, May 3, 1933.

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### DETAILED REGULATIONS FOR THE EXECUTION OF THE PARCEL POST CONVENTION.

**Regulations for execution.**

The following Detailed Regulations for the Execution of the Parcel Post Convention have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and New Zealand. They may be changed from time to time as may be deemed necessary.

#### ARTICLE 1.

##### *Limits of Weight and Size.*

**Limits of weight and size.**

1. The parcels to be exchanged under the provisions of this Agreement may not exceed 11 pounds in weight.

In the direction from the United States of America to New Zealand, these parcels may not exceed the following dimensions:

Greatest length 4 feet, on condition that parcels over 42 inches but not over 44 inches long do not exceed 24 inches in girth; that parcels over 44 inches but not over 46 inches long do not exceed 20 inches in girth; that parcels over 46 inches but not over 48 inches long do not exceed 16 inches in girth; and that parcels up to 3½ feet in length do not exceed 6 feet in length and girth combined.

In the direction from New Zealand to the United States of America, these parcels may not exceed the following dimensions:

Length, 3½ feet; length and girth (taken in a direction other than that of the length) combined 6 feet.

The limit of weight and maximum dimensions stated above may be changed from time to time by agreement made through correspondence.

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## ARTICLE 2.

*Preparation of Parcels.*

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself or on a label or tag firmly attached thereto. It is not allowed to write with initials the name and address of the sender or addressee, unless the initials are the adopted trade name of the senders or addressees which is generally understood. Addresses in pencil are also not allowed, except those written with copying ink on a surface previously dampened.

Preparation of par-  
cells.

A slip bearing the name and address of the sender and addressee must be enclosed in the parcel when the address is written on a label or tag which is not gummed to the parcel. It is advisable that such slips be enclosed in all parcels.

2. Every parcel must be packed in a manner adequate for the length of the journey and the character of the contents, and in such a way as to prevent the contents from damaging other parcels or objects or injuring the postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

No packing is required for ordinary parcels consisting of a single article, such as pieces of wood, metal, etc., which are not usually packed by the trade.

Any liquid or any substance which easily liquefies must be packed in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (box of metal, of strong wood, of strong corrugated cardboard or of strong fibreboard or receptacle of equal strength) shall be left a space which shall be filled with sawdust, bran or some other absorbent material, in sufficient quantity to absorb all the liquid contents in the case of breakage.

Powders and dyes in powder form must be packed in lead-sealed metal containers which must be enclosed in substantial outer covers, so as to obviate all damage to the accompanying mail matter.

3. Insured parcels must be sealed by means of wax, by lead or other seals. Ordinary parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing. Either Administration may require a special design or mark of the sender in the sealing of insured parcels mailed in its service, as a means of protection.

The customs of the country of destination, for the purpose of customs examination, shall have the right to break the seals. After customs examination is concluded, the parcels shall be officially resealed.

4. On the address side, each insured parcel must bear a label with the words "Insured" or "Valeur déclarée", or be stamped or marked with the same words in close proximity to the number given the parcel, and it must also bear an indication of the amount of the insured value, mentioned fully and legibly in the currency of the country of origin and in Roman letters. This amount must be converted into gold francs by the sender or by the office of origin and the result of conversion is added below the original description. The amount of the insured value must also be indicated on the customs declaration.

5. The seals, as well as any kind of labels or stamps, affixed to insured parcels, must be so placed as not to hide injuries to the package. Moreover, the labels or stamps must not be folded over two sides of the package so as to cover the edge.

**ARTICLE 3.***Customs Declarations.***Customs declarations.**

1. The sender shall prepare one customs declaration for each parcel sent from either country, upon a special form provided for the purpose by the country of origin.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, actual weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel. However, as an exception to the foregoing, when more than one parcel is mailed simultaneously by the same sender in the United States of America to the same addressee at the same address in New Zealand, the sender need prepare only one customs declaration for the entire shipment, which customs declaration shall show, in addition to the particulars set forth in the preceding sentence, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. The parcels comprising the entire shipment shall be clearly marked in such case with a fractional number, the numerator of which will indicate, in arabic figures, the number of the parcel, and the denominator the number of parcels comprising the shipment; for example, if a single shipment were composed of 15 parcels, each parcel would be numbered, respectively, 1/15, 2/15, 3/15, etc.

2. The Administrations accept no responsibility for the correctness of the customs declarations.

**ARTICLE 4.***Return Receipts.***Return receipts.**

1. As to a parcel for which a return receipt is asked, the office of origin impresses on the parcel the letters or words "A.R." or "Avis de réception". The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been posted, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing paragraph.

**ARTICLE 5.***Receptacles.***Receptacles.**

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

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2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten per cent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Administration of origin.

#### ARTICLE 6.

##### *Method of Exchange of Parcels.*

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the Offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides. Method of exchange  
of parcels.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

#### ARTICLE 7.

##### *Billing of Parcels.*

1. Ordinary parcels exchanged direct between the two countries shall be entered on the parcel bills to show the total number of parcels, the total net weight thereof, and the total amount to be credited, while redirected or returned parcels shall be entered individually. The total number of sacks comprising each dispatch shall also be indicated on the parcel bills.

Billing.

2. Insured parcels shall be entered individually on separate parcel bills to show the insurance number and the name of the office of origin, as well as the total net weight thereof.

3. Parcels sent à découvert must be entered separately on the parcel bills.

4. The entry on the bill of any returned or reforwarded parcel must be followed by the word "Returned" or "Reforwarded", together with the detailed statement of charges which may be additionally collected, in the "Observations" column.

5. Each dispatching office of exchange shall number the parcel bills in the upper left-hand corner, commencing each year a fresh series for each office of exchange of destination. The last number of the year shall be shown on the parcel bill of the first dispatch of the following year.

6. The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F", traced in a conspicuous manner on the label.

#### ARTICLE 8.

##### *Checking of Parcels.*

1. The office of exchange which has received a parcel mail shall check the parcels and the accompanying bills. If a parcel is missing or any other irregularity is noted, it shall be immediately reported to the dispatching office of exchange by means of a Bulletin of Verification. The report of such a serious irregularity as to

Checking of parcels.

involve the responsibility of the respective Administrations shall be accompanied by such vouchers as the strings, wax, or lead seals used for closing the bag which contained the parcels, if they are available.

If no report is made by the next mail, it will be assumed that the mail has been received in proper order until the contrary is proved.

2. If a parcel bill is missing a duplicate shall be made out and a copy sent to the dispatching office of exchange from which the dispatch was received.

3. If any parcel which is in the course of transmission is observed to bear evidence of violation or damage, it must have the facts noted on it and be marked with the stamp of the office making the note, or a document drawing attention to the violation or damage must be forwarded with the parcel.

#### ARTICLE 9.

##### *Undelivered Parcels.*

###### Undelivered parcels.

1. The sender of a parcel may request, at the time of mailing, that if the parcel cannot be delivered as addressed it shall be either (a) treated as abandoned, or (b) tendered for delivery at a second address in the country of destination, or (c) returned immediately.

If the sender avails himself of this facility, his request must appear on the address side of the parcel and on the relative customs declaration and must be in conformity with or analogous to one of the following forms:

“If not deliverable as addressed----- ‘Abandon’”.

“If not deliverable as addressed----- ‘Deliver to . . . ’”.

“If not deliverable as addressed----- ‘Return immediately’”.

2. The parcels to be returned as undeliverable to the country of origin shall be marked to show the reason for nondelivery.

#### ARTICLE 10.

##### *Payments.*

###### Payments.

1. For the parcels dispatched by one country to the other, the dispatching Administration shall pay a terminal credit as follows:

(a) For parcels originating in New Zealand addressed to the United States of America, 6 cents per pound computed on the bulk net weight of each dispatch.

(b) For parcels originating in the United States of America addressed to New Zealand, 30 cents per parcel.

2. In the case of parcels originating in New Zealand which are sent to the United States of America for onward dispatch to a possession of the latter country or, in closed mails, to a third country, the Administration of New Zealand shall pay to the Administration of the United States of America as a transit credit 6 cents per pound when only sea service is provided, 10 cents per pound when only land service is provided, and 13 cents per pound when both land and sea service are provided, based on the bulk net weight of each dispatch.

Also, in the case of parcels for the possessions of the United States of America, the Administration of New Zealand shall pay to the Administration of the United States of America the following terminal credits:

For parcels for Alaska, 6 cents per pound computed on the bulk net weight of each dispatch.

For parcels for Puerto Rico, the Virgin Islands, Guam, Samoa and Hawaii, 3 cents per pound computed on the bulk net weight of each dispatch.

3. In the case of parcels originating in the United States of America which are sent to New Zealand for onward dispatch to Tonga, the Administration of the United States of America shall pay to the Administration of New Zealand one shilling four pence for each parcel not exceeding 3 pounds in weight, one shilling eight pence for each parcel over 3 pounds but not exceeding 7 pounds in weight and two shillings for each parcel over 7 pounds and not exceeding 11 pounds in weight.

4. The terminal charges and transit rates above specified may be reduced or increased on three months' previous notice given by one country to the other. The reduction or increase shall hold good for at least one year.

#### ARTICLE 11.

##### *Accounting.*

1. Each Administration shall prepare quarterly an account showing the sums due for parcels sent by the other Administration.

Accounting.

2. These accounts accompanied by the parcel bills and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The compilation, transmission, verification and acceptance of the accounts must be effected as early as possible and the payment resulting from the balance must be made at the latest before the expiration of three months following the date of the sending of the accounts by the creditor Administration.

4. Payment of the balances due on these accounts between the two Administrations shall be effected by means of drafts on New York or on Wellington, or in any other manner which may from time to time be agreed upon between the Chiefs of the Postal Administrations of the two contracting countries, the expenses attendant on the payment being at the charge of the indebted administration.

#### ARTICLE 12.

##### *Miscellaneous Notifications.*

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

Miscellaneous.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Effective date and duration.

Done in duplicate and signed at Washington the 24th day of April 1933, and at Wellington the third day of March 1933

Signatures.

ADAM HAMILTON  
*Postmaster General of New Zealand.*

[SEAL]

JOSEPH O'MAHONEY  
*Acting Postmaster General of the  
United States of America.*

Approval.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and New Zealand have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President.

CORDELL HULL

*Secretary of State.*

WASHINGTON, *May 3, 1933.*

*Treaty between the United States of America and Poland of friendship, commerce, and consular rights and agreement concerning proof of the origin of imported merchandise effected by exchange of notes. Signed at Washington, June 15, 1931; ratification advised by the Senate, April 5, 1932; ratified by the President of the United States, April 21, 1932; ratified by Poland, April 20, 1933; ratifications exchanged at Warsaw, June 9, 1933; proclaimed, July 10, 1933.*

June 15, 1931.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Treaty of Friendship, Commerce and Consular Rights between the United States of America and the Republic of Poland was concluded and signed by their respective Plenipotentiaries at Washington on the fifteenth day of June, one thousand nine hundred and thirty-one, the original of which treaty, being in the English and Polish languages, is word for word as follows:

Treaty of friendship,  
commerce, and consular  
rights with Poland.  
Preamble.

The United States of America and the Republic of Poland, desirous of strengthening the bond of peace which happily prevails between them, by arrangements designed to promote friendly intercourse between their respective territories through provisions responsive to the spiritual, cultural, economic and commercial aspirations of the peoples thereof, have resolved to conclude a Treaty of Friendship, Commerce and Consular Rights and for that purpose have appointed as their plenipotentiaries:

The President of the United States of America, Henry L. Stimson, Secretary of State of the United States of America, and

The President of the Republic of Poland, Tytus Filipowicz, Ambassador Extraordinary and Plenipotentiary of Poland in Washington,

who, having communicated to each other their full powers found

Stany Zjednoczone Ameryki i Rzeczpospolita Polska, pragnąc wzmacnić istniejący szczęśliwie między obu krajami węzeł pokoju zapomocą układów, mających na celu rozwinięcie przyjaznych stosunków między obu swemi terytoriami przez zarządzenia odpowiadające duchowym, kulturalnym, gospodarczym i handlowym dażeniom swej ludności, postanowili zawrzeć Traktat Przyjaźni, Handlowy i Praw Konsularnych i w tym celu mianowały swymi pełnomocnikami:

Prezydent Stanów Zjednoczonych Ameryki, p. Henry L. Stimson, Sekretarza Stanu Stanów Zjednoczonych Ameryki, i

Prezydent Rzeczypospolitej Polskiej, p. Tytusa Filipowicza, Ambasadora Nadzwyczajnego i Pełnomocnego R. P. w Waszyngtonie;

którzy, po zakomunikowaniu sobie wzajemnie pełnomocnictw,

Contracting Powers.  
Post, p. 1703.

Plenipotentiaries.

to be in due form, have agreed upon the following articles:

#### ARTICLE I

Mutual freedom of residence, religion, business, etc., permitted.

Real property.

Most favored nation treatment.

The nationals of each of the High Contracting Parties shall be permitted to enter, travel and reside in the territories of the other; to exercise liberty of conscience and freedom of worship; to engage in professional, scientific, religious, philanthropic, manufacturing and commercial work of every kind; to carry on every form of commercial activity which is not forbidden by the local law; to own, erect or lease and occupy appropriate buildings and to lease lands for residential, scientific, religious, philanthropic, manufacturing, commercial and mortuary purposes; to employ agents of their choice; and generally the said nationals shall be permitted, upon submitting themselves to all local laws and regulations duly established, to enjoy all of the foregoing privileges and to do anything incidental to or necessary for the enjoyment of those privileges, upon the same terms as nationals of the State of residence, except as otherwise provided by laws of either High Contracting Party in force at the time of the signature of this Treaty. In so far as the laws of either High Contracting Party in force at the time of the signature of this Treaty do not permit nationals of the other Party to enjoy any of the foregoing privileges upon the same terms as the nationals of the State of residence, they shall enjoy, on condition of reciprocity, as favorable treatment as nationals of the most favored nation.

uznanych za nalezyte co do formy, zgodzili się na następujące artykuły:

#### ARTYKUŁ I

Obywatele każdej z Wysokich Umawiających się Stron będą mogli wjeżdżać, podróżować i przebywać na terytorium drugiej Strony; korzystać z wolności sumienia oraz praktykowania kultu religijnego; wykonywać pracę zawodową, naukową, religijną, filantropijną, przemysłową i handlową wszelkiego rodzaju; prowadzić we wszelkiej formie działalność handlową nie wzbronioną przez prawo miejscowe; posiadać na własność wznosić lub wynajmować i zajmować odpowiednie budowle, oraz dzierżawić grunty do celów: mieszkalnych, naukowych, religijnych, filantropijnych, przemysłowych, handlowych i pośmiertnego spoczynku; zatrudniać pracowników według swego wyboru —i wogóle, wyżej wymienieni obywatele będą mogli, przy zastosowaniu się do wszystkich miejscowych praw i przepisów nalezytce ustanowionych, korzystać z wszelkich wyliczonych wyżej przywilei i wykonywać wszystko, co jest z uprawnieniami temi związane, lub konieczne do korzystania z nich, na tych samych warunkach, co obywatele państwa, w którym zamieszkują, chyba że prawa którejs z Wysokich Umawiających się Stron, będące w mocy w chwili podpisania niniejszego Traktatu, zawierają postanowienia odmienne. Tam gdzie prawa jednej z Wysokich Umawiających się Stron, obowiązujące w chwili podpisania niniejszego Traktatu nie pozwalają obywatelom drugiej Strony na korzystanie z któregoś z wyżej wyliczonych uprawnień na tych samych warunkach co obywatelem Państwa, w którym zamieszkują, będą oni korzystali, pod warunkiem wzajemności z takiego samego traktowania, co obywatele państwa najbardziej uprzywilejowanego.

Equality of taxes, etc.

The nationals of either High Contracting Party within the territories of the other shall not be subjected to the payment of any internal charges or taxes other or higher than those that are exacted of and paid by its nationals.

The nationals of each High Contracting Party shall enjoy freedom of access to the courts of justice of the other on conforming to the local laws, as well for the prosecution as for the defense of their rights, in all degrees of jurisdiction established by law.

The nationals of each High Contracting Party shall receive within the territories of the other, upon submitting to conditions imposed upon its nationals, the most constant protection and security for their persons and property, and shall enjoy in this respect that degree of protection that is required by international law. Their property shall not be taken without due process of law and without payment of just compensation.

Nothing contained in this Treaty shall be construed to affect existing statutes of either of the High Contracting Parties in relation to emigration or to immigration or the right of either of the High Contracting Parties to enact such statutes, provided, however, that nothing in this paragraph shall prevent the nationals of either High Contracting Party from entering, traveling and residing in the territories of the other Party in order to carry on international trade or to engage in any commercial activity related to or connected with the conduct of international trade on the same terms as nationals of the most favored nation.

Nothing contained in this Treaty is to be considered as interfering with the right of either party

Obywatele jednej z Wysokich Umawiających się Stron nie będą podlegali na terytorium drugiej Strony żadnym innym lub wyższym wewnętrznym opłatom i podatkom, niż ściągane są od własnych obywateli i przez nich opłacane.

Obywatele każdej z Wysokich Umawiających się Stron będą mieli swobodny dostęp do sądów drugiej Strony, poddając się miejscowym prawom, a to zarówno w dochodzeniu, jak i obronne swoich praw przed wszystkimi instancjami sądowymi, ustanowionymi przez prawo.

Obywatele każdej z Wysokich Umawiających się Stron będą mieli na terytorium drugiej Strony, poddając się warunkom nałożonym na obywatele tejże Strony, jaknajbardziej stałą opiekę i bezpieczeństwo osobiste i ich mienia i będą korzystali pod tym względem z takiego stopnia opieki, jak tego wymaga prawo międzynarodowe. Mienie ich nie może być im odebrane bez właściwego postępowania prawnego i bez zapłaty odpowiedniego odszkodowania.

Żadne z postanowień niniejszego Traktatu nie może być interpretowane w sposób naruszający istniejące ustawy jednej z Wysokich Umawiających się Stron w odniesieniu do emigracji lub imigracji lub też prawa każdej z Wysokich Umawiających się Stron do stanowienia takich ustaw, pod warunkiem jednakże, że nic w ustępie niniejszym nie przeszkodzi obywatelom jednej z Wysokich Umawiających się Stron w wjeźdzaniu, podróżowaniu i zamieszkiwaniu na terytorium drugiej Strony celem prowadzenia handlu międzynarodowego lub też zajmowania się działalnością handlową odnoszącą się do lub związaną z prowadzeniem handlu międzynarodowego na tych samych warunkach co obywatele państwa najbardziej uprzywilejowanego.

Zadne z postanowień niniejszego Traktatu nie może być interpretowane w sensie, który

Protection of national labor.

Immigration laws not affected.

Protection of persons and property.

to enact or enforce statutes concerning the protection of national labor.

nasuwałby prawo jednej ze Stron do stanowienia i stosowania ustaw odnoszących się do ochrony narodowego rynku pracy.

## ARTICLE II

Civil liability for injuries, etc.

With respect to that form of protection granted by National, State, or Provincial laws establishing civil liability for injuries or for death, and giving to relatives or heirs or dependents of an injured party a right of action or a pecuniary benefit, such relatives or heirs or dependents of the injured party, himself a national of either of the High Contracting Parties and injured within any of the territories of the other, shall, regardless of their alienage or residence outside of the territory where the injury occurred, enjoy the same rights and privileges as are or may be granted to nationals, and under like conditions.

## ARTYKUŁ II

Odrośnie do formy ochrony, zabezpieczonej przez prawo państowe, stanowe lub prowincjonalne, ustanawiające odpowiedzialność cywilną za obrażenia cielesne lub śmierć i dające kryminalnym, spadkobiercom lub pozostającym na utrzymaniu strony poszkodowanej prawo do skargi lub odszkodowania pieniężnego, tacy krewni, spadkobiercy lub będący na utrzymaniu strony poszkodowanej, która, mając obywatelstwo jednej z Wysokich Umawiających się Stron, została poszkodowana na terytorium drugiej Strony, będą, bez względu na ich obywatelstwo obce lub przebywanie poza terytorium, na którym obrażenia cielesne miały miejsce, korzystali z tych samych praw i przywilejów, jakie są lub mogą być udzielane obywatelom własnym i na takich samych warunkach.

## ARTICLE III

Dwellings, places of business, etc., to be respected.

The dwellings, warehouses, manufactories, shops, and other places of business, and all premises thereto appertaining of the nationals of each of the High Contracting Parties in the territories of the other, used for any purposes set forth in Article I, shall be respected. It shall not be allowable to make a domiciliary visit to, or search of, any such buildings and premises, or there to examine and inspect books, papers or accounts, except under the conditions and in conformity with the forms prescribed by the laws, ordinances and regulations for nationals.

## ARTYKUŁ III

Mieszkania, składy towarowe, fabryki, sklepy i inne miejsca wykonywania zawodu wraz ze wszystkimi przynależnymi pomieszczeniami, należące do obywateli jednej z Wysokich Umawiających się Stron na terytorium drugiej, używane do jakiegokolwiek z celów wymienionych w Artykule I, winny być szanowane. Będzie niedozwolone dokonywanie rewizji domowej, przeszukiwanie budynków i pomieszczeń, ani badanie i sprawdzanie w nich ksiąg, papierów lub rachunków, chyba że odbędzie się to pod warunkami i zgodnie z formami ustanowionymi dla krajów przez obowiązujące ustawy, rozporządzenia i przepisy.

## ARTICLE IV

Period allowed for sale of inherited realty, etc.

Where, on the death of any persons holding real or other immovable property or interests

W wypadkach, w których z powodu śmierci osoby, posiadającej realność lub inny majątek

## ARTYKUŁ IV

therein within the territories of one High Contracting Party, such property or interests therein would, by the laws of the country or by a testamentary disposition, descend or pass to a national of the other High Contracting Party, whether resident or non-resident, were he not disqualified by the laws of the country where such property or interests therein is or are situated, such national shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and withdraw the proceeds thereof, without restraint or interference, and exempt from any succession, probate or administrative duties or charges other than those which may be imposed in like cases upon the nationals of the country from which such proceeds may be drawn.

Nationals of either High Contracting Party may have full power to dispose of their personal property of every kind within the territories of the other, by testament, donation, or otherwise, and their heirs, legatees and donees, of whatsoever nationality, whether resident or non-resident, shall succeed to such personal property, and may take possession thereof, either by themselves or by others acting for them, and retain or dispose of the same at their pleasure subject to the payment of such duties or charges only as the nationals of the High Contracting Party within whose territories such property may be or belong shall be liable to pay in like cases.

## ARTICLE V

The nationals of each of the High Contracting Parties in the exercise of the right of freedom of worship, within the territories of the other, as hereinabove provided, may, without annoyance or molestation of any kind by

nieruchomy, albo udział w nim, na terytorium jednej z Wysokich Umawiających się Stron, majątek ten, lub udział w nim miałyby, zgodnie z prawem krajowem lub na podstawie postanowień testamentowych, przypaść lub przejść na tam zamieszkałego lub niezamieszkałego obywatela drugiej z Wysokich Umawiających się Stron, jeżeli go tych praw nie pozbawią ustawy kraju, w którym ten majątek lub udział w nim się znajduje, temu obywateleowi będzie wolno w okresie trzech lat, mogącym być przedłużonym, o ile tego wymagają słusne powody, zlikwidować go i wycofać uzyskaną równowartość bez ograniczeń i przeszkołd i wolną od wszelkich spadkowych, sądowych i administracyjnych podatków i opłat prócz tych, które w podobnych wypadkach mogą być nałożone na obywatela państwa, z którego ta równowartość ma być wycofana.

Obywatele każdej z Wysokich Umawiających się Stron będą mieli pełną swobodę rozporządzania swą własnością ruchomą wszelkiego rodzaju na terytorium drugiej Strony, drogą testamentu darowizny, lub w innej formie, a ich spadkobiercy, legatarjusze lub obdarowani, bez względu na obywatelstwo, zamieszkali lub niezamieszkali w kraju, będą dziedziczyli taką własność ruchomą i mogą objąć ją w posiadanie, sami lub przez osoby, działające w ich imieniu, zatrzymać ją lub rozporządzać nią dowoli, przyczem podlegają uiszcżaniu podatków i opłat tylko takich, jakim podlegają w podobnych wypadkach obywatele tej z Wysokich Umawiających się Stron, na której terytorium własność ta się znajduje, lub z którym jest związana.

## ARTYKUŁ V

Obywatele każdej z Wysokich Umawiających się Stron będą mogli, w wykonaniu swego wyżej zastrzeżonego prawa swobody religijnej, na terytorium drugiej Strony bez utrudnień i przykrości jakiegokolwiek rodzaju z

Freedom of worship etc.

## Condition.

reason of their religious belief or otherwise, conduct services either within their own houses or within any appropriate buildings which they may be at liberty to erect and maintain in convenient situations, provided their teachings or practices are not contrary to public morals; and they may also be permitted to bury their dead according to their religious customs in suitable and convenient places established and maintained for the purpose subject to the mortuary and sanitary laws and regulations of the place of burial.

racji ich wierzeń religijnych lub z innego powodu—odprawiać nabożeństwa w obrębie albo swych własnych domów albo też wszelkich odpowiednich budynków, które mogą dowolnie wznosić i zachowywać w dogodnych miejscowościach, o ile ich nauki i obrządkie nie są sprzeczne z obyczajnością publiczną; będą oni również mogli grzebać swych umarłych zgodnie z ich zwyczajami religijnymi na dogodnych i dostosowanych miejscowościach, założonych i zachowywanych w tym celu, przestrzegając ustaw i rozporządzeń cmentarnych i sanitarnych, obowiązujących w miejscu grzebania.

## ARTICLE VI

Reciprocal freedom of commerce and navigation.

Between the territories of the High Contracting Parties there shall be freedom of commerce and navigation. The nationals of each of the High Contracting Parties equally with those of the most favored nation, shall have liberty freely to come with their vessels and cargoes to all places, ports and waters of every kind within the territorial limits of the other which are or may be open to foreign commerce and navigation. Nothing in this Treaty shall be construed to restrict the right of either High Contracting Party to impose on such terms as it may see fit, prohibitions or restrictions designed to protect human, animal, or plant life and health, or regulations for the enforcement of police or revenue laws, including laws prohibiting or restricting the importation or sale of alcoholic beverages or narcotics.

Sanitary, etc., measures.

Liquor or narcotic traffic.

Most favored nation treatment on imports.

Each of the High Contracting Parties binds itself unconditionally to impose no higher or other duties or charges, and no condition or prohibition on the importation of any article, the growth, produce, or manufacture of the territories of the other Party than

## ARTYKUŁ VI

Pomiedzy terytorjami Wysokich Umawiających się Stron będzie istniała wolność handlu i żeglugi. Obywatele obu Wysokich Umawiających się Stron, narowni z obywatelami państwa najbardziej uprzywilejowanego, będą mieli swobodę wolnego zawijania ze swemi statkami i ładunkami do wszystkich miejsc, portów i wód wszelkiego rodzaju w obrębie granic terytorjalnych drugiej Strony, które są lub mogą być otwarte dla handlu zagranicznego i żeglugi. Żadne postanowienie niniejszego Traktatu nie może być tłumaczone jako ograniczające prawo którejkolwiek z Wysokich Umawiających się Stron do wprowadzenia na warunkach, jakie Strona ta uzna za stosowne, zakazów i ograniczeń, mających na celu ochronę życia i zdrowia ludzkiego, zwierzęcego lub roślin, lub rozporządzeń dla wykonania ustaw w dziedzinie porządku publicznego lub dochodów Skarbu, z wyłączeniem ustaw zabraniających lub ograniczających wóz lub sprzedaż napojów alkoholowych lub narkotyków.

Każda z Wysokich Umawiających się Stron przyjmie bezwzględnie zobowiązanie nienakładania wyższych lub innych cel względnie opłat, warunków, zakazów lub ograniczeń przywozu jakichkolwiek artykułów, będących produktami gleby, wytworami lub

are or shall be imposed on the importation of any like article, the growth, produce or manufacture of any other country. Administrative orders effecting advances in duties or changes in regulations applicable to imports shall not be made operative until the elapse of sufficient time, after promulgation in the usual official manner, to afford reasonable notice of such advances or changes. The foregoing provision does not relate to orders made operative as required by provisions of law or judicial decisions, or to measures for the protection of human, animal or plant life or for the enforcement of police laws.

Each of the High Contracting Parties also binds itself unconditionally to impose no higher or other charges or other restrictions or prohibitions on goods exported to the territories of the other High Contracting Party than are imposed on goods exported to any other foreign country.

Neither High Contracting Party shall establish or maintain restrictions on imports from or exports to the territories of the other Party which are not applied to the import and export of any like article originating in or destined for any other country. Any withdrawal of an import or export restriction which is granted even temporarily by one of the Parties in favor of the articles of a third country shall be applied immediately and unconditionally to like articles originating in or destined for the other Contracting Party. In the event of rations or quotas being established for the importation or exportation of articles restricted or prohibited, each of the High Contracting Parties agrees to grant for the importation from or exportation to the territories of the other Party an equitable

wyrobami terytorium drugiej Strony niż te, jakie są lub będą nakładane na wóz takich samych artykułów, będących produktami gleby, wytworami lub wyrobami jakiegokolwiek innego kraju. Zarządzenia administracyjne wprowadzające podwyższenie cel lub zmianę obowiązujących przepisów, odnoszących się do importu, nie będą stosowane przed upływem dostatecznego czasu, potrzebnego na słusze uwiadomienie o takich podwyżkach lub zmianach, po ich ogłoszeniu w zwykły drodze urzędowej. Powyższe postanowienie nie dotyczy zarządzeń wprowadzonych na skutek przepisów ustawy lub orzeczeń sądowych, jak również zarządzeń wydanych celem ochrony życia ludzkiego, zwierzęcego lub roślin, a także w dziedzinie porządku publicznego.

Każda z Wysokich Umawiających się Stron również zobowiązuje się bezwzględnie nie nakładać opłat ani innych ograniczeń czy zakazów na towary eksportowane do terytoriów drugiej Strony wyższych lub innych, niż te, jakie nakładane są na towary eksportowane do jakiegokolwiek innego kraju obcego.

Żadna z Wysokich Umawiających się Stron nie wprowadzi ani nie będzie utrzymywała w mocy ograniczeń importu z terytorium lub eksportu do terytorium drugiej Strony, które nie są stosowane do importu i eksportu takiego samego artykułu pochodzącego z lub wysyłanego do jakiegokolwiek innego kraju. Wszelkie cofnięcie ograniczeń importowych lub eksportowych przyznane chociażby tymczasowo przez jedną ze Stron na korzyść artykułów trzeciego państwa, będzie niezwłocznie i bezwarunkowo stosowane do takich samych artykułów pochodzących od drugiej Umawiającej się Strony lub do niej wysyłanych. W razie ustanowienia kontyngentów dla importu lub eksportu artykułów ograniczonych lub zakazanych, każda z Wysokich Umawiających się Stron zgadza się

No discrimination of  
export charges.

share in the allocation of the quantity of restricted goods which may be authorized for importation or exportation.

*Extension of advantages given any other foreign country.*

Any advantage concerning charges, duties, formalities and conditions of their application which either High Contracting Party may extend to any article, the growth, produce or manufacture of any other foreign country, shall simultaneously and unconditionally, without request and without compensation be extended to the like article the growth, produce or manufacture of the other High Contracting Party.

*Equality of trade by vessels of either country.*

All articles which are or may be legally imported from foreign countries into ports of the United States of America or are or may be legally exported therefrom in vessels of the United States of America, may likewise be imported into these ports or exported therefrom in Polish vessels without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in vessels of the United States of America; and, reciprocally, all articles which are or may be legally imported from foreign countries into the ports of Poland or are or may be legally exported therefrom in Polish vessels, may likewise be imported into these ports or exported therefrom in vessels of the United States of America without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in Polish vessels.

*Bounties, drawbacks, etc.*

In the same manner there shall be perfect reciprocal equality in relation to the flags of the two countries with regard to bounties, drawbacks and other privileges of this nature, of whatever denomination, which may be allowed in the territories of each of the

przyznać importowi z terytorium lub eksportowi do terytorium drugiej Strony słuszny udział w przydzielaniu ilości ograniczonych towarów, które mogą być dozwolone dla importu lub eksportu.

Wszelka korzyść, dotycząca opłat, cel, formalności i warunków ich stosowania, którą jedna z Wysokich Umawiających się Stron mogłaby rozciągnąć na jakikolwiek artykuł, będący produktem gleby, wytworem lub wyrobem każdego innego obcego kraju, będzie równocześnie i bezwarunkowo, bez żądania i bez kompensaty rozcięgnięta na takie same artykuły, które są produktami gleby, wytworami lub wyrobami drugiej Wysokiej Umawiającej się Strony.

Wszelkie artykuły które są lub mogą być legalnie importowane z zagranicy do portów Stanów Zjednoczonych Ameryki, albo też są lub mogą być legalnie eksportowane z nich na statkach Stanów Zjednoczonych Ameryki, będą mogły również być przywożone do tych portów lub wywożone z nich na statkach polskich, nie podlegając jakimkolwiek cłom lub opłatom innym lub wyższym niż gdyby te artykuły były importowane lub eksportowane na statkach Stanów Zjednoczonych Ameryki; i nawzajem, wszelkie artykuły, które są lub mogą być legalnie importowane z zagranicy do portów polskich albo też są lub mogą być legalnie eksportowane z nich na statkach polskich, będą mogły również być przywożone do tych portów lub wywożone z nich na statkach Stanów Zjednoczonych Ameryki, nie podlegając żadnym cłom i opłatom innym lub wyższym niż gdyby artykuły te były importowane lub eksportowane na statkach polskich.

W ten sam sposób ma być stosowana zupełna wzajemna równość w stosunku do bandery obu krajów co do premij, zwrotów cel i innych przywilejów tego rodzaju jakiekolwiek nazwy, które mogą być przyznane na terytorium obu Wysokich Uma-

Contracting Parties, on goods imported or exported in national vessels so that such bounties, drawbacks and other privileges shall also and in like manner be allowed on goods imported or exported in vessels of the other country.

With respect to the amount and collection of duties on imports and exports of every kind, each of the two High Contracting Parties binds itself to give to the nationals, vessels and goods of the other the advantage of every favor, privilege or immunity which it shall have accorded to the nationals, vessels and goods of a third state, whether such favored state shall have been accorded such treatment gratuitously or in return for reciprocal compensatory treatment. Every such favor, privilege or immunity which shall hereafter be granted the nationals, vessels or goods of a third State shall simultaneously and unconditionally, without request and without compensation be extended to the other High Contracting Party for the benefit of itself, its nationals, vessels and goods.

No distinction shall be made by either High Contracting Party between direct and indirect importations of articles originating in the territories of the other Party from whatever place arriving. In so far as importations into Poland are concerned, the foregoing stipulation applies only in the case of goods which for a part of the way from the place of their origin to the place of their ultimate destination had to be carried across the ocean.

Either Contracting Party has the right to require that articles which are imported from the territories of the other Party and are entitled under the provisions of this Treaty to the benefit of the duties or charges accorded to the most favored nation, must be accompanied by such documentary proof of their origin as may be required in pursuance of the laws

wiąjących się Stron, dla towarów, importowanych lub eksportowanych na statkach narodowych, tak, że te premje, zwroty cel i inne przywileje będą również w podobny sposób przyznawane towarom, importowanym lub eksportowanym na statkach drugiego państwa.

Co się tyczy wysokości i pobierania cel przywozowych i wywozowych wszelkiego rodzaju, każda z obu Wysokich Umawiających się Stron zobowiązuje się przyznać obywatelom, statkom i towarom drugiej Strony wszelkie udogodnienia, przywileje lub wolności, jakie przyzna obywatelom, statkom i towarom jakiegoś trzeciego państwa, bez względu na to, czy takiemu uprzywilejowanemu państwu takie traktowanie zostanie przyznane darmo, czy wzamian za kompensatę. Każde takie udogodnienie, przywilej lub wolność, które będzie odtąd w przyszłości nadane obywatelom, statkom czy towarom trzeciego państwa, będzie równocześnie i bezwarunkowo, bez żądania i bez kompensaty rozciagnięte na drugą Wysocką Umawiającą się Stronę dla niej samej, jej obywateli, statków i towarów.

Żadna z Wysokich Umawiających się Stron nie będzie robiła jakiekolwiek różnicy między bezpośrednim a pośrednim przywozem artykułów pochodzących z terytoriów drugiej Strony, a skądkolwiek przychodzących. Powyzsze postanowienie, w zastosowaniu do przywozu do Polski, odnosi się jedynie do towarów, które na części drogi z miejsca ich pochodzenia do miejsca ostatecznego przeznaczenia miały być przewożone poprzez ocean.

Każda z Wysokich Umawiających się Stron ma prawo wymagać, żeby artykuły, które są przywożone z terytorium drugiej Strony i które mogą korzystać zgodnie z postanowieniami niniejszego Traktatu z korzyści odnośnie do cel lub opłat przyznanych państwu najbardziej uprzywilejowanemu, były zaopatrzone w takie same dokumenty stwierdzające

Most favored nation treatment as to customs duties.

No distinction between direct and indirect importations.

Documentary proof of origin required.

and regulations of the country into which they are imported, provided, however, that the requirements imposed for this purpose shall not be such as to constitute in fact a hindrance to indirect trade. The requirements for furnishing such proof of origin shall be agreed upon and made effective by exchanges of notes between the High Contracting Parties.

**Exceptions.**

The stipulations of this article shall not extend:

**Border traffic.**

(a) To the treatment which either High Contracting Party shall accord to purely border traffic within a zone not exceeding ten miles (15 kilometers) wide on either side of its customs frontier.

**Where special privileges accorded.**

(b) To the special privileges resulting to States in customs union with either High Contracting Party so long as such special privileges are not accorded to any other State.

**United States trade with Cuba.**

Vol. 33, p. 2136.

(c) To the treatment which is accorded by the United States of America to the commerce of Cuba under the provisions of the commercial convention concluded by the United States of America and Cuba on December 11, 1902, or any other commercial convention which hereafter may be concluded by the United States of America with Cuba. Such stipulations, moreover do not extend to the treatment which is accorded to commerce between the United States of America and the Panama Canal Zone or any of the dependencies of the United States of America, or to the commerce of the dependencies of the United States of America with one another under existing and future laws.

**With Canal Zone or dependencies.**

(d) To the provisional customs regime in force between Polish and German parts of Upper Silesia laid down in the German-Polish Convention signed at Geneva on May 15, 1922.

**Exception to Polish traffic.**

jące ich pochodzenie, jakie mogą być wymagane w wykonaniu ustaw i przepisów kraju, do którego są one przywożone, z tem jednak zastrzeżeniem, że żądania postawione w tym celu nie będą tego rodzaju, aby mogły stanowić w rzeczywistości przeszkody dla handlu pośredniego. Wymagania związane z dostarczaniem takich świadectw pochodzenia zostaną ustalone i wprowadzone w życie przez wymianę not między Wysokimi Umawiającymi się Stronami.

Postanowienia niniejszego artykułu nie rozciągają się na:

a) traktowanie, które każda z Wysokich Umawiających się Stron przyzna ruchowi pogranicznemu w strefie nieprzekraczającej szerokości 10 mil (15 kilometrów) z każdej strony granicy celnej;

b) specjalne przywileje państw, wynikające z ich unii celnej z jedną z Wysokich Umawiających się Stron dopóki takie specjalne przywileje nie będą przyznane żadnemu innemu państwu;

c) traktowanie, jakie Stany Zjednoczone Ameryki przyznają handlowi Kuby na zasadzie postanowień Konwencji Handlowej, zawartej pomiędzy Stanami Zjednoczonymi Ameryki a Kubą, dnia 11 grudnia 1902 r., ani do jakiegokolwiek innej konwencji handlowej, która w przyszłości może być zawarta między Stanami Zjednoczonymi Ameryki i Kubą. Postanowienia takie pozatem nie odnoszą się do traktowania zapewnionego handlowi Stanów Zjednoczonych Ameryki ze strefą Kanału Panamskiego lub z którąkolwiek posiadłością Stanów Zjednoczonych Ameryki lub handlowi posiadłości Stanów Zjednoczonych Ameryki między sobą, zgodnie z obecnymi i przyszłymi prawami;

d) tymczasowy system celny obowiązujący między polskim i niemieckim Górnym Śląskiem i ustanowiony polsko-niemiecką Konwencją, podpisana w Genewie 15 maja 1922 r.

## ARTICLE VII

The nationals and merchandise of each High Contracting Party within the territories of the other shall receive the same treatment as nationals and merchandise of the country with regard to internal taxes, charges in respect to warehousing and other facilities.

## ARTICLE VIII

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties or charges of whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territories of either country upon the vessels of the other, which shall not equally, under the same conditions be imposed on national vessels. Such equality of treatment shall apply reciprocally to the vessels of the two countries respectively from whatever place they may arrive and whatever may be their place of destination.

## ARTICLE IX

For the purposes of this Treaty, merchant vessels and other privately owned vessels under the flag of either of the High Contracting Parties, and carrying the papers required by its national laws in proof of nationality, shall, both within the territorial waters of the other High Contracting Party and on the high seas, be deemed to be the vessels of the Party whose flag is flown.

## ARTICLE X

Merchant vessels and other privately owned vessels under the flag of either of the High Contracting Parties shall be permitted to discharge portions of cargoes at any port open to foreign commerce in the territories of the other High Contracting Party, and to proceed with the

## ARTYKUŁ VII

Obywatele i towary każdej z Wysokich Umawiających się Stron będą korzystali na terytorium drugiej Strony z tego samego traktowania co krajowcy i towary krajowe, o ile chodzi o podatki wewnętrzne, opłaty za składowe i za inne udogodnienia.

## ARTYKUŁ VIII

Żadne opłaty tonażowe, portowe, za pilotaż, za latarnie morskie i opłaty kwarantannowe lub też żadne podobne lub analogiczne opłaty jakiegokolwiek bądź rodzaju, ściągane w imieniu lub na rzecz Rządu, funkcjonariuszy publicznych, osób prywatnych, towarzystw lub zakładów jakiegobądź rodzaju, nie będą nakładane w portach terytoriów żadnego z obu krajów na statki drugiego kraju, któreby nie były w równej mierze i w tych samych warunkach nakładane na statki narodowe. To równe traktowanie będzie stosowane z zastrzeżeniem wzajemności do statków obu krajów bez względu na miejsce, z którego one przybywają i bez względu na miejsce ich przeznaczenia.

Tonnage duties, etc.

## ARTYKUŁ IX

Dla celów niniejszego Traktatu statki handlowe i inne statki będące własnością prywatną pod banderą jednej z Wysokich Umawiających się Stron, posiadające dokumenty, wymagane przez ich ustawy krajowe na dowód swej przynależności państwowej, będą, zarówno w obrębie wód terytorialnych drugiej Strony, jak i na pełnym morzu, uważane za statki tej Strony, pod której banderą płyną.

Nationality of private vessels recognized.

## ARTYKUŁ X

Statki handlowe i inne statki będące własnością prywatną pod banderą jednej z Wysokich Umawiających się Stron, będą mogły wyładowywać część swych ładunków w każdym porcie, otwartym dla handlu zagranicznego na terytoriach drugiej Wysokiej Umawiającej się Strony i płynąć dalej z

Discharging cargoes at open ports.

remaining portions of such cargoes to any other ports of the same territories open to foreign commerce, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances, and they shall be permitted to load in like manner at different ports in the same voyage outward, provided, however, that the coasting trade of the High Contracting Parties is exempt from the provisions of this Article and from the other provisions of this Treaty, and is to be regulated according to the laws of each High Contracting Party in relation thereto. It is agreed, however, that the nationals of either High Contracting Party shall within the territories of the other enjoy with respect to the coasting trade the most favored nation treatment.

Coasting trade exemption.

Fishing and shipbuilding.

The provisions of this Treaty relating to the mutual concession of national treatment in matters of navigation do not apply to special privileges reserved by either High Contracting Party for the fishing and shipbuilding industries.

Corporations, etc., organized in either country may conduct business in the other.

Limited liability and other corporations and associations, whether or not for pecuniary profit, which have been or may hereafter be organized in accordance with and under the laws, National, State or Provincial, of either High Contracting Party and maintain a central office within the territories thereof, shall have their juridical status recognized by the other High Contracting Party provided that they pursue no aims within its territories contrary to its laws. They shall enjoy freedom of access to the courts of law and equity, on conforming to the laws regulating the matter, as well for

resztą tych ładunków do jakichkolwiek innych portów na tych samych terytorjach, otwartych dla handlu zagranicznego, bez uiszczenia innych lub wyższych opłat tonażowych, lub portowych, niż te, które w takich wypadkach były płacone przez statki krajowe w podobnych warunkach i będą tak samo mogły brać ładunek w różnych portach, w czasie tej samej podróży w kierunku oddalającym się, z tem zastrzeżeniem jednak, że handel przybrzeżny Wysokich Umawiających się Stron jest wyłączony z postanowień niniejszego artykułu i z innych postanowień niniejszego Traktatu, będzie zaś uregulowany stosownie do odnośnych ustaw każdej z Wysokich Umawiających się Stron. Istnieje jednak zgoda co do tego, iż obywatele jednej z Wysokich Umawiających się Stron, będą korzystali odnośnie do handlu przybrzeżnego na terytorium drugiej Strony, z traktowania państwa najbardziej uprzywilejowanego.

Postanowienia niniejszego Traktatu, odnoszące się do wzajemnego przywileju narodowego traktowania w sprawach związanych z żeglugą, nie stosują się do specjalnych przywilejów, które obie Wysokie Umawiające się Strony zastrzegają dla przemysłu rybackiego i budowy okrętów.

## ARTICLE XI

## ARTYKUŁ XI

Spółki o odpowiedzialności ograniczonej, oraz inne spółki i towarzystwa, obliczone lub nieobliczone na zysk, które zostały lub mogą być w przyszłości założone zgodnie z ustawami państwowemi, stanowemi lub prowincjonalnemi jednej z Wysokich Umawiających się Stron i utrzymujące siedzibę główną na jej terytorium, uznane będą przez drugą Wysoką Umawiającą się Stronę za prawnie istniejące, z zastrzeżeniem jednak, że nie dążą one na jej terytorium do celów sprzecznych z jej ustawami. Będą one korzystały z wolności dostępu do wszelkich sądów sądzących według prawa lub słu-

the prosecution as for the defense of rights in all the degrees of jurisdiction established by law.

The right of such corporations and associations of either High Contracting Party so recognized by the other to establish themselves within its territories, establish branch offices and fulfill their functions therein shall depend upon, and be governed solely by the consent of such Party as expressed in its National, State, or Provincial laws and regulations.

#### ARTICLE XII

The nationals of either High Contracting Party shall enjoy within the territories of the other, reciprocally and upon compliance with the conditions there imposed, such rights and privileges as have been or may hereafter be accorded the nationals of any other State with respect to the organization of and participation in limited liability and other corporations and associations, for pecuniary profit or otherwise, including the rights of promotion, incorporation, purchase and ownership and sale of shares and the holding of executive or official positions therein. In the exercise of the foregoing rights and with respect to the regulation or procedure concerning the organization or conduct of such corporations or associations, such nationals shall be subjected to no conditions less favorable than those which have been or may hereafter be imposed upon the nationals of the most favored nation. The rights of any of such corporations or associations as may be organized or controlled or participated in by the nationals of either High Contracting Party within the territories of the other to exercise any of their functions therein, shall be governed by the laws and regulations, National, State or Provincial, which are in force or

szności, stosując się do praw regulujących tę sprawę, zarówno dla dochodzenia, jak i dla obrony praw we wszystkich instancjach sądowych prawnie ustanowionych.

Prawo takich spółek i towarzystw jednej z Wysokich Umawiających się Stron, w ten sposób uznanych przez drugą Stronę, do osiedlania się na jej terytorjach, zakładania filii i wykonywania swych czynności tamże—będzie uzależnione i uregulowane wyłącznie na podstawie zezwolenia tej Strony, w sposób określony w jej ustawach i przepisach państwowych, stanowych lub prowincjalnych.

*Right to establish branches.*

#### ARTYKUŁ XII

Obywatele jednej z Wysokich Umawiających się Stron będą korzystali na terytorjach drugiej Strony wzajemnie i zgodnie z warunkami tam obowiązującymi, z takich praw i przywilejów, jakie są, lub w przyszłości będą, przyznane obywatelom jakiegokolwiek innego państwa odnośnie do zakładania i uczestniczenia w spółkach o odpowiedzialności ograniczonej i innych spółkach i towarzystwach w celach zarobkowych lub innych, włącznie z prawem inicjowania, rejestrowania, zakupu, posiadania i sprzedaży akcji oraz piastowania stanowisk kierowniczych lub wykonawczych w tych firmach. Przy wykonywaniu tych praw odnośnie do uregulowania postępowania dotyczącego organizacji lub prowadzenia takich spółek i towarzystw, wspomniani obywatele nie będą podlegali żadnym warunkom, mniej korzystnym, niż te, jakie są lub będą w przyszłości nakładane na obywateli państwa najbardziej uprzywilejowanego. Prawo wszystkich takich spółek i towarzystw, któreby były zorganizowane lub kontrolowane przez obywatele jednej z Wysokich Umawiających się Stron lub w których mieliby udział ci obywatele, na terytorium drugiej Strony do wykonywania tamże jakichkolwiek swych

*Nationals of either country may organize corporations, etc., in the other.*

may hereafter be established within the territories of the Party wherein they propose to engage in business.

**Mining privileges.**

The nationals of either High Contracting Party, shall, moreover, enjoy within the territories of the other, on condition of reciprocity, and upon compliance with the conditions there imposed, such rights and privileges as may hereafter be accorded the nationals of any other State with respect to the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain of the other. It is understood, however, that neither High Contracting Party shall be required by anything in this paragraph to grant any application for any such right or privilege if at the time such application is presented the granting of all similar applications shall have been suspended or discontinued.

czynności,—będą regulowane przez ustawy i przepisy państwe, stanowe lub prowincjonalne, które są w mocy, lub mogłyby być w przyszłości wprowadzone na terytoriach tej Strony, gdzie czynności te mają być wykonywane.

Ponad to obywatele jednej z Wysokich Umawiających się Stron będą korzystali na terytorium drugiej Strony, z zastrzeżeniem wzajemności i poddając się warunkom tam obowiązującym, z takich praw i przywilejów, jakie mogłyby być w przyszłości przyznane obywatełom jakiegokolwiek innego państwa odnośnie do wydobywania węgla, fosfatu, ropy, oleju skalnego, gazu i sody na terenach państwoowych drugiej Strony. Rozumie się jednakże, że żadne z postanowień niniejszego ustępu nie wymaga od Wysokich Umawiających się Stron udzielania pozwoleń na korzystanie z takich praw lub przywilejów, jeżeli w chwili przedłożenia oznaczonego podania udzielanie podobnych praw lub przywilejów zostało zawieszone lub zniesione.

**ARTICLE XIII**

**Commercial travelers  
recognized.**

Commercial travelers representing manufacturers, merchants and traders domiciled in the territories of either High Contracting Party shall on their entry into and sojourn in the territories of the other Party and on their departure therefrom be accorded the most favored nation treatment in respect of customs and other privileges and of all charges and taxes of whatever denomination applicable to them or to their samples.

**Identification, etc.**

If either High Contracting Party shall deem necessary the presentation of an authentic document establishing the identity and authority of commercial travelers representing manufacturers, merchants or traders domiciled in the territories of the other Party in order that such commercial traveler may enjoy in its territories the privileges accorded under this Article, the High Con-

**ARTYKUŁ XIII**

Komiwojażerowie, reprezentujący twórców, kupców i handlarzy, osiadłych na terytorium jednej z Wysokich Umawiających się Stron, będą mieli przy wjeździe na terytorium drugiej Strony lub w czasie przebywania tam i przy wyjeździe stamtąd, zapewnione traktowanie państwa najbardziej uprzywilejowanego pod względem cel i innych przywilejów i wszelkich opłat i podatków jakiegokolwiek bądź rodzaju, nałożonych na nich, lub ich próbki.

Jeżeli Wysokie Uładające się Strony lub jedna z nich uznała za potrzebne przedstawienie weryfikacyjnego dokumentu ustalającego tożsamość i uprawnienia komiwojażerów reprezentujących twórców, kupców lub handlarzy osiadłych na terytoriach drugiej strony, celem dania im możliwości korzystania na jej terytoriach z przywilejów przyznanych w niniejszym artykule—Wy-

tracting Parties will agree by exchange of notes on the form of such document and the authorities or persons by whom it shall be issued.

#### ARTICLE XIV

There shall be complete freedom of transit through the territories including territorial waters of each High Contracting Party on the most convenient routes open for international transit, by rail, navigable waterway, and canal, other than the Panama Canal and waterways and canals which constitute international boundaries, to persons, their luggage and goods coming from, going to or passing through the territories of the other High Contracting Party, except such persons as may be forbidden admission into its territories, or goods or luggage of which the importation may be prohibited by law. Persons, their luggage and goods in transit shall not be subjected to any transit duty, or to any unnecessary delays or restrictions, or to any discrimination as regards charges, facilities or any other matter.

Goods in transit must be entered and cleared at the proper customhouse, but they shall be exempt from all customs or other similar duties.

All charges imposed on transport in transit shall be reasonable, having regard to the conditions of the traffic.

Nothing in this Article shall affect the right of either of the High Contracting Parties to prohibit or restrict the transit of arms, munitions and military equipment in accordance with treaties or conventions that may have been or may hereafter be entered into by either Party with other countries.

sokie Umawiające się Strony ustalą w drodze wymiany not formę takiego dokumentu oraz urzędy i osoby przez jakie ma być wystawiony.

#### ARTYKUŁ XIV

Będzie miała miejsce zupełna wolność tranzytu przez terytorja z wyłączeniem wód terytorjalnych każdej z Wysokich Umawiających się Stron na najdogodniejszych drogach otwartych dla tranzytu międzynarodowego kolejami, żeglownemi drogami wodnymi i kanałami, z wyłączeniem Kanału Panamskiego, oraz dróg wodnych i kanałów, stanowiących granice międzypaństwowe, dla osób, ich bagażu i towarów, przybywających z terytoriów drugiej Wysokiej Umawiającej się Strony, udających się tam, lub przejeżdżających przez nie, z wyłączeniem takich osób, których dopuszczenie na jej terytorja byłoby zabronione, albo towarów czy bagażu, których przewóz byłby zakazany ustawowo. Osoby przejeżdżające, ich bagaż i towary przewożone tranzytem nie będą podlegały żadnym ciom tranzytowym, ani żadnemu zbędnemu opóźnieniu, lub ograniczeniom i zróżniczkowaniom pod względem opłat, ułatwień lub wszelkich innych okoliczności.

Towary w tranzycie winny wchodzić i wychodzić przez właściwą komorę cła, ale wolne będą od wszelkich cel lub innych podobnych opłat.

Wszelkie opłaty, nakładane na transporty znajdujące się w tranzycie, będą umiarkowane i odpowiadające warunkom ruchu.

Żadne z postanowień niniejszego artykułu nie będzie ograniczało prawa obu Wysokich Umawiających się Stron do zakazywania lub ograniczania tranzytu broni, amunicji i sprzętu wojskowego, zgodnie z traktatami i konwencjami, które są albo mogłyby być w przyszłości zawarte przez każdą kolwiek z Wysokich Umawiających się Stron z innymi państwami.

Freedom of international transit.

Panama Canal, etc., excepted.

Transit provisions.

Customs entries, etc.

Transit of arms, etc.

## ARTICLE XV

Consular officers.  
Reception of.

Enjoyment of rights,  
etc., accorded most fa-  
vored nation.

Each of the High Contracting Parties agrees to receive from the other, consular officers in those of its ports, places and cities, where it may be convenient and which are open to consular representatives of any foreign country.

Consular officers of each of the High Contracting Parties shall after entering upon their duties, enjoy reciprocally in the territories of the other all the rights, privileges, exemptions and immunities which are enjoyed by officers of the same grade of the most favored nation. As official agents, such officers shall be entitled to the high consideration of all officials, national or local, with whom they have official intercourse in the State which receives them.

Exequator to issue.

The Government of each of the High Contracting Parties shall furnish free of charge the necessary exequatur of such consular officers of the other as present a regular commission signed by the chief executive of the appointing state and under its great seal; and it shall issue to a subordinate or substitute consular officer duly appointed by an accepted superior consular officer with the approbation of his Government, or by any other competent officer of that Government, such documents as according to the laws of the respective countries shall be requisite for the exercise by the appointee of the consular function. On the exhibition of an exequatur, or other document issued in lieu thereof to such subordinate, such consular officer shall be permitted to enter upon his duties and to enjoy the rights, privileges and immunities granted by this Treaty.

## ARTYKUŁ XV

Każda z Wysokich Umawiających się Stron zgadza się przyjmować urzędników konsularnych drugiej Strony w tych swoich portach, miejscowościach i miastach, które nadają się i są otwarte dla przedstawicieli konsularnych jakiegokolwiek obcego państwa.

Urzędnicy konsularni każdej z Wysokich Umawiających się Stron będą, po objęciu urzęduowania, korzystali na terytorium drugiej Strony na zasadzie wzajemności ze Wszystkich praw i przywilejów, zwolnień i immunitetów, z jakich korzystają urzędnicy tego samego stopnia państwa najbardziej uprzywilejowanego. Tacy urzędnicy, jako przedstawiciele urzędu, będą uprawnieni do wysokiego szacunku wszystkich urzędników państwowych lub komunalnych państwa przyjmującego, z którymi będą utrzymywali stosunki służbowe.

Rząd każdej z Wysokich Umawiających się Stron będzie udzielał bez opłat potrzebnego exequatur urzędnikom konsularnym drugiej Strony, którzy przedstawiają należytne listy komisyjne, podpisane przez Główną Państwa kraju wysyłającego i zaopatrzone w wielką pieczęć państwową; nadto wyda on każdemu podwładnemu lub zastępczemu urzędnikowi konsularnemu, należycie mianowanemu przez przyjętego wyższego urzędnika konsularnego, za aprobatą jego Rządu, lub przez innego właściwego urzędnika tego Rządu, takie dokumenty, jakie, zgodnie z prawami odnośnych Państw, wymagane są do wykonywania służby konsularnej przez mianowanego urzędnika. Za okazaniem exequaturu lub innego dokumentu, wydanego zamiast tegoż, takiemu urzędnikowi niższego stopnia, ten urzędnik konsularny uprawniony będzie do objęcia swego urzędu, oraz korzystania z praw, przywilejów i immunitetów, przyznanych przez Traktat niniejszy.

## ARTICLE XVI

Consular officers, nationals of the state by which they are appointed, shall be exempt from arrest except when charged with the commission of offenses locally designated as crimes other than misdemeanors and subjecting the individual guilty thereof to punishment. Such officers shall be exempt from military billetings, and from service of any military or naval, administrative or police character whatsoever.

In criminal cases the attendance at court by a consular officer as a witness may be demanded by the prosecution or defence. The demand shall be made with all possible regard for the consular dignity and the duties of the office; and there shall be compliance on the part of the consular officer.

Consular officers shall be subject to the jurisdiction of the courts in the State which receives them in civil cases, subject to the proviso, however, that when the officer is a national of the state which appoints him and is engaged in no private occupation for gain, his testimony in cases to which he is not a party shall be taken orally or in writing at his residence or office and with due regard for his convenience. The officer should, however, voluntarily give his testimony at court whenever it is possible to do so without serious interference with his official duties.

## ARTICLE XVII

Each of the High Contracting Parties agrees to permit the entry free of all duty of all furniture, equipment and supplies intended for official use in the consular

## ARTYKUŁ XVI

Urzędnicy konsularni, będący obywatelami Państwa wysyłającego, nie mogą być aresztowani z wyjątkiem wypadku, gdy zostaną oskarżeni o popełnienie czynów karygodnych, kwalifikowanych przez prawo miejscowe jako przestępstwa, inne aniżeli występki i przekroczenia i pociągające za sobą ukaranie innego osobnika. Urzędnicy tacy wolni będą od obowiązku dostarczania kwater wojskowych i od służby wojskowej lub morskiej, administracyjnej lub policyjnej wszelkiego rodzaju.

W sprawach karnych, stawienie się urzędnika konsularnego w charakterze świadka w sądzie może być zażądane zarówno przez stronę oskarżającą, jak i przez obronę. Odnośnie wezwania dokonane być winno z zachowaniem wszelkich możliwych względów dla godności konsularnej i obowiązków urzędu; a urzędnik konsularny winien uczynić zadość takiemu wezwaniu.

Urzędnicy konsularni będą w sprawach cywilnych podlegali jurysdykcji sądów Państwa przyjmującego, z tem jednakże zastrzeżeniem, że w wypadku, jeżeli urzędnik jest obywatelem Państwa wysyłającego i nie jest zaangażowany w żadnym prywatnym zajęciu, obliczonem na zysk, to przesłuchanie jego ustne lub pisemne w charakterze świadka w sprawach, w których on nie jest strona, odbyć się winno w miejscu jego zamieszkania lub w jego biurze i z należytymi względami dla jego wygody. Urzędnik winien wszakże dobrowolnie zeznawać w sądzie, o ile to tylko jest możliwe bez naruszenia w poważny sposób jego obowiązków służbowych.

Exemption from arrest, etc.

Testimony in criminal cases.

Civil cases, etc.

## ARTYKUŁ XVII

Każda z Wysokich Umawiających się Stron zgadza się na wwoz wolny od wszelkich opłat celnych wszelkiego rodzaju mebli, urządzeń i zapasów przeznaczonych na

Free entry of office supplies, etc.

offices of the other, and to extend to such consular officers of the other and their families and suites as are its nationals, the privilege of entry free of duty of their baggage and all other property intended for their personal use, accompanying the officer to his post; provided, nevertheless, that no article, the importation of which is prohibited by the law of either of the High Contracting Parties, may be brought into its territories. Personal property imported by consular officers, their families or suites during the incumbency of the officers shall be accorded the customs privileges and exemptions accorded to consular officers of the most favored nation.

**Personal property.**

*Restriction, if consul  
is in private business.*

It is understood, however, that the privileges of this Article shall not be extended to consular officers who are engaged in any private occupation for gain in the countries to which they are accredited, save with respect to governmental supplies.

**Tax exemption.**

Consular officers, including employees in a consulate, nationals of the State by which they are appointed other than those engaged in private occupations for gain within the State where they exercise their functions, shall be exempt from all taxes, National, State, Provincial and Municipal, levied upon their persons or upon their property, except taxes levied on account of the possession or ownership of immovable property situated in, or income derived from property of any kind situated or belonging within, the territories of the State within which they exercise their functions. All consular officers and employees, nationals of the State appointing them, shall be exempt from the payment of taxes on the salary,

użytek służbowy w biurach konsularnych drugiej Strony; udzieli również urzędnikom konsularnym, ich rodzinom oraz towarzyszącym im osobom, o ile są one obywatelami kraju wysyłającego, przywileju wolnego od cła wwozu ich bagażu i innych przedmiotów służących do ich osobistego użytku, przywożonych ze sobą przez urzędnika, gdy udaje się na swoje stanowisko, z warunkiem wszakże, że żaden przedmiot, którego wwoz przez prawo jednej z Wysokich Umawiających się Stron jest zakazany, nie może być przywieziony na jej terytorium. Mienie osobiste wwozone przez urzędników konsularnych, ich rodziny lub towarzyszące im osoby w czasie pełnienia funkcji przez danych urzędników, będzie korzystało z przywilejów i zwolnień przyznawanych urzędnikom konsularnym Państwa najbardziej uprzywilejowanego.

Rozumie się jednak, że przywileje, udzielone w niniejszym artykule, nie będą się rozciągały na urzędników konsularnych, oddających się w państwie przyjmującym jakiemukolwiek prywatnemu zajęciu obliczonemu na zysk, chyba, że chodzi o przedmioty dostarczane im urzędowo.

**ARTICLE XVIII****ARTYKUŁ XVIII**

Urzędnicy konsularni, włączając w to i pracowników zatrudnionych w konsulacie, będący obywatelami Państwa wysyłającego, a nie oddający się na terytorium Państwa, gdzie wykonywują swoje czynności, zajęciom prywatnym obliczonym na zysk, wolni będą od wszelkiego rodzaju podatków państwowych, stanowych, prowincjalnych i komunalnych, nałożonych na ich osoby lub mienie, z wyjątkiem podatków, pobieranych z tytułu posiadania przez nich majątku nieruchomości, położonego w granicach tego terytorium, oraz dochodu, który daje im mienie jakiegokolwiek rodzaju, położone na lub przynależne do terytorium Państwa, w którym wykonywują swoje czynności. Wszyscy urzędnicy i pracownicy

fees or wages received by them in compensation for their consular services.

The Government of each High Contracting Party shall have the right to acquire and own land and buildings required for diplomatic or consular premises in the territory of the other High Contracting Party and also to erect buildings in such territory for the purposes stated subject to local building regulations.

Lands and buildings situated in the territories of either High Contracting Party, of which the other High Contracting Party is the legal or equitable owner and which are used exclusively for governmental purposes by that owner, shall be exempt from taxation of every kind, National, State, Provincial and Municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

#### ARTICLE XIX

Consular officers may place over the outer door of their respective offices the coat of arms of their State with an appropriate inscription designating the official office, and they may place the coat of arms of their State on automobiles employed by them in the exercise of their consular functions. Such officers may also hoist the flag of their country on their offices including those situated in the capitals of the two countries. They may likewise hoist such flag over any boat or vessel employed in the exercise of the consular function.

The quarters where consular business is conducted and the archives of the consulates shall at all times be inviolable, and under no pretext shall any authorities of any character within the

konsularni, obywatele Państwa wysyłającego, wolni są od płacenia podatków od poborów, honorarjów i płac, które otrzymują jako wynagrodzenie za swą służbę konsularną.

Rząd każdej z Wysokich Umawiających się Stron będzie miał prawo nabywać i posiadać na własność grunta i budynki potrzebne na lokale dyplomatyczne i konsularne na terytorium drugiej z Wysokich Umawiających się Stron, jakoteż wznowić budynki na tem terytorium dla wyżej wspomnianych celów z zachowaniem miejscowych przepisów budowlanych.

Grunta i budynki, położone na terytorium jednej z Wysokich Umawiających się Stron, których prawnym lub sprawiedliwym właścicielem jest druga Strona, a które są używane przez tego właściciela wyłącznie do celów rządowych, wolne są od wszelkiego rodzaju podatków zarówno państwowych, jak stanowych, krajowych i komunalnych z wyjątkiem opłat pobieranych za usługi lub miejscowe publiczne urządzenia, z których dane obiekty korzystają.

#### ARTYKUŁ XIX

Urzędnicy konsularni mają prawo umieszczać nad drzwiami wejściowymi swych biur godła swego Państwa z odpowiednim napisem, oznaczającym lokal urzędowy, i umieszczać godła swego państwa na samochodach używanych przez nich przy wykonywaniu czynności konsularnych. Urzędnicy ci mogą również wywieszać flagę swego Państwa na swych biurach, włączając w to i biura, znajdujące się w stolicach obu Państw. Mogą oni również wywieszać taką flagę na wszelkiej łodzi lub statku, używanym przy wykonywaniu funkcji konsularnych.

Lokal, w którym konsulat urzęduje i archiwa konsulatu będą zawsze w każdym czasie nietykalne i pod żadnym pozorem żadna z władz krajowych jakiegokolwiek rodzaju nie może dokonywać

*Acquisition of realty,  
etc.*

*Exemption, if for govern-  
mental use only.*

*Arms and flags at  
offices, etc.*

*Inviolability of  
offices and archives.*

*Separation, from private papers.*

country make any examination or seizure of papers or other property deposited with the archives. When consular officers are engaged in business within the territory of the State where they are exercising their duties, the files and documents of the consulate shall be kept in a place entirely separate from the one where private or business papers are kept. Consular offices shall not be used as places of asylum. No consular officers shall be required to produce official archives in court or testify as to their contents.

*Recognition of ad interim officers.*

Upon the death, incapacity, or absence of a consular officer, having no subordinate consular officer at his post, secretaries or chancellors, whose official character may have previously been made known to the Government of the State where the consular function was exercised, may temporarily exercise the consular function of the deceased or incapacitated or absent consular officer; and while so acting shall enjoy all the rights, prerogatives and immunities granted to the incumbent.

*Communications with officials for protecting countrymen of consuls.*

Consular officers, nationals of the State by which they are appointed, may, within their respective consular districts, address the authorities, National, State, Provincial or Municipal, for the purpose of protecting their countrymen in the enjoyment of their rights accruing by treaty or otherwise. Complaint may be made for the infraction of those rights. Failure upon the part of the proper authorities to grant redress or to accord protection may justify interposition through the diplomatic channel, and in the absence of a diplomatic representative, a consul general

żadnego badania lub zajęcia pa pierów lub innych rzeczy złożo nych w archiwach. O ile urzędnicy konsularni trudnią się przedsiębiorstwami prywatnymi na tery torium Państwa, gdzie wykony wują swe funkcje, papiery i dokumenty konsulatu winny być przechowywane w miejscu zupeł nie oddzielonym od miejsca, gdzie są przechowywane ich pa piery prywatne lub dotyczące ich przedsiębiorstwa. Biura Kon sultatu nie będą służyły za miejsca azylu. Nie będzie wymagane od żadnego urzędnika konsularnego przedkładanie w sądzie aktów urzędowych lub składanie zeznań o ich treści.

W razie śmierci, niezdolności do wykonywania funkcji, lub nieobecności urzędnika konsular nego, który nie ma na swej placówce podwładnego urzędnika konsularnego, sekretarze lub na czelnicy kancelarii, jeżeli ich charakter służbowy został przed tem podany do wiadomości Państwu przyjmującemu, mogą wykonywać czasowo funkcje kon sularne zmarłego, niezdolnego do pełnienia swych funkcji lub nie obecnego urzędnika konsularnego; podczas sprawowania tych czynno ści będą oni korzystali ze wszystkich praw, przywilejów i imunitetów, przyznanych kie rownikowi urzędu.

## ARTICLE XX

## ARTYKUŁ XX

Urzędnicy konsularni, będący obywatelami Państwa wysyłającego, mogą w obrębie swego okręgu konsularnego zwracać się do władz państwowych, stanowych, krajowych lub komunalnych w celu zapewnienia swoim obywate lom korzystania z praw traktatowych lub nabyczych w jakikol wiek inny sposób. W razie na ruszenia tych praw mogą oni wnosić zażalenia. O ile właściwe władze nie dały zadośćuczynienia lub nie udzieliły opieki, interwencja dyplomatyczna będzie usprawiedliwiona, a w razie nieobecności przedstawiciela dyplomatycznego, konsul generalny

or the consular officer stationed at the capital may apply directly to the government of the country

lub urzędnik konsularny, urzędujący w stolicy, zwrócić się może bezpośrednio do Rządu danego kraju.

### ARTICLE XXI

Consular officers, in pursuance of the laws of their own country may (a) take, at any appropriate place within their respective districts, the depositions of any occupants of vessels of their own country, or of any national of, or of any person having permanent residence within the territories of, their own country; (b) draw up, attest, certify and authenticate unilateral acts, translations, deeds, and testamentary dispositions of their countrymen, and also contracts to which a countryman is a party; (c) authenticate signatures; (d) draw up, attest, certify and authenticate written instruments of any kind purporting to express or embody the conveyance or encumbrance of property of any kind within the territory of the State by which such officers are appointed, and unilateral acts, deeds, testamentary dispositions and contracts relating to property situated, or business to be transacted, within the territories of the State by which they are appointed.

Instruments and documents thus executed and copies and translations thereof, when duly authenticated by the consular officer, under his official seal, shall be received as evidence in the territories of the Contracting Parties as original documents or authenticated copies, as the case may be, and shall have the same force and effect as if drawn by and executed before a notary or other public officer duly authorized in the country by which the consular officer was appointed; provided, always, that such documents shall have been

### ARTYKUŁ XXI

Urzędnicy konsularni mogą w wykonaniu praw swego własnego Państwa: a/ przyjmować w każdym nadającem się do tego miejscu w granicach ich okręgu, zeznania wszelkich osób znajdujących się na statkach ich kraju lub jakichkolwiek obywateli ich Państwa albo też osób mających miejsce stałego zamieszkania na terytorium tegoż Państwa; b/ sporządzać, zaświadczenie /attest, certify/ i uwierzytelniać jednostronne akty prawne, podpisy, tłumaczenia, dokumenty i rozporządzenia testamentowe swych obywateli, jak również kontrakty, w których obywatel ich Państwa jest jedną z umawiających się stron; c/ uwierzytelniać podpisy; d/ sporządzać, zaświadczenie /attest, certify/, i uwierzytelniać dokumenty wszelkiego rodzaju, wyrażające lub zawierające jakiekolwiek przeniesienie lub obciążenie własności wszelkiego rodzaju, znajdującej się na terytorium Państwa wysyłającego, jakoteż jednostronne akty prawne, dokumenty, rozporządzenia testamentowe i kontrakty, odnoszące się do mienia położonego na terytorium Państwa wysyłającego, lub do transakcji, która ma tam być dokonana.

Dokumenty i akty w ten sposób sporzązone, jakoteż odpisy z nich i tłumaczenia, jeżeli zostały przez urzędnika konsularnego należycie uwierzytelnione i zapatrzone jego pieczęcią urzędową, uznawane będą za dokumenty dowodowe na terytorjach Umawiających się Stron i uważane będą za dokumenty oryginalne lub wierzytelne odpisy, stosownie do wypadku, oraz posiadać będą taką samą moc i skutki prawne, jak gdyby były sporzązone i zaświadczenie przez notariusza lub innego urzędnika publicznego odpowiednio upo-

Notarial acts, etc., by  
consular officers.

Authentications, etc.

Effect as evidence.

drawn and executed in conformity to the laws and regulations of the country where they are designed to take effect.

**Authority, in non-support matters.**

A consular officer of either High Contracting Party shall within his district have the right to act personally or by delegate in all matters concerning claims of non-support of non-resident minor children against a father resident in the district of the consul's residence and a national of the country represented by the consul, without other authorization, providing that such procedure is not in conflict with local laws.

**Notice of death in one country of a national of the other.**

In case of the death of a national of either High Contracting Party in the territory of the other without having in the locality of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the State of which the deceased was a national of the fact of the death, in order that necessary information may be forwarded to the parties interested.

**Provisional holding of intestate property.**

In case of the death of a national of either of the High Contracting Parties without will or testament, in the territory of the other High Contracting Party, the consular officer of the State of which the deceased was a national and within whose district the deceased made his home at the time of death, shall, so far as the laws of the country permit and pending the appointment of an administrator and until letters of administration have been granted, be deemed qualified to take charge of the property left

ważionego w Państwie wysyłającym, zawsze jednakże z zastrzeżeniem, że akty te i dokumenty sporządzone i zaświadczenie będą zgodnie z prawami i przepisami Państwa, w którym mają wywołać skutki prawne.

Urzędnik konsularny każdej z Wysokich Umawiających się Stron będzie miał we własnym okręgu prawo występowania osobiście lub przez zastępcę we wszystkich sprawach dotyczących roszczeń o środki do utrzymania, wniesionych przez małoletnie dzieci, niezamieszkałe w kraju przyjmującym przeciw ojcu zamieszkałemu w okręgu danego urzędnika konsularnego będącemu obywatelem państwa wysyłającego bez osobnego do tego pełnomocnictwa z tem jednak zastrzeżeniem, że tego rodzaju postępowanie nie jest sprzeczne z prawem miejscowem.

## ARTICLE XXII

## ARTYKUŁ XXII

W razie śmierci obywatela jednej z Wysokich Umawiających się Stron na terytorium drugiej Strony, o ile nie pozostawił on w miejscu zgonu żadnych znanych spadkobierców, ani wykonawców testamentu, przez siebie wyznaczonych, właściwe władze miejscowości zawiadomią niezwłocznie o fakcie jego śmierci najbliższego urzędnika konsularnego Państwa, którego zmarły był obywatelem, aby odpowiednie zawiadomienie przesiane być mogło stronom zainteresowanym.

Jeżeli obywatel jednej z Wysokich Umawiających się Stron umrze na terytorium drugiej Wysokiej Umawiającej się Strony bez pozostawienia ostatniej woli lub testamentu, urzędnik konsularny Państwa, którego obywatelem był zmarły, urządzający w granicach okręgu, w którym zmarły mieszkał w chwili śmierci, uważany będzie, o ile prawa miejscowe na to pozwalały, do chwili wyznaczenia administratora lub wszczęcia przewodu spadkowego, za powołanego do wzięcia pod swoją opiekę majątku, pozostałego po

by the decedent for the preservation and protection of the same. Such consular officer shall have the right to be appointed as administrator within the discretion of a tribunal or other agency controlling the administration of estates provided the laws of the place where the estate is administered so permit.

In case of the death of a national of either of the High Contracting Parties without will or testament and without any known heirs resident in the country of his decease, the consular officer of the country of which the deceased was a national shall be appointed administrator of the estate of the deceased, provided the regulations of his own Government permit such appointment and provided such appointment is not in conflict with local law and the tribunal having jurisdiction has no special reasons for appointing someone else.

Whenever a consular officer accepts the office of administrator of the estate of a deceased countryman, he subjects himself as such to the jurisdiction of the tribunal or other agency making the appointment for all necessary purposes to the same extent as a national of the country where he was appointed.

#### ARTICLE XXIII

A consular officer of either High Contracting Party may, if this is not contrary to the local law, appear personally or by delegate on behalf of non-resident beneficiaries, nationals of the country represented by him before the proper authorities administering workmen's compensation laws and other like statutes, with the same effect as if he held the power of attorney of such beneficiaries to represent them unless such beneficiaries have themselves appeared either in person or by duly authorized representative.

zmarłym w celu zachowania i ochrony tego majątku; tenże urzędnik konsularny będzie uprawniony do tego ażeby zostać wyznaczonym zarządcą spadku według uznania sądu lub innej władzy, sprawującej nadzór nad zarządem masy spadkowej, o ile na to zezwalają prawa miejscowości, gdzie spadek pozostaje pod zarządem.

W wypadku śmierci obywatela jednej z Wysokich Umawiających się Stron bez rozporządzenia na wypadek śmierci względnie testamentu i bez jakichkolwiek znanych spadkobierców zamieszkałych w kraju, gdzie umarł, urzędnik konsularny kraju, którego obywatelem był zmarły, będzie wyznaczony na administratora majątku zmarłego, o ile przepisy własnego jego Rządu zezwalają na to, i o ile taka nominacja nie jest sprzeczna z prawami miejscowości, a sąd właściwy nie ma specjalnych powodów do wyznaczenia kogo innego.

O ile urzędnik konsularny przyjmie obowiązki administratora spadku, pozostałego po zmarłym współobywatelu, poddaje się tem samem w tym charakterze do wszystkich celowych zamierzeń jurysdykcji sądu albo też innego czynnika mianującego, w takim samym zakresie co obywatel kraju przyjmującego.

#### ARTYKUŁ XXIII

Urzędnik konsularny każdej z Wysokich Umawiających się Stron może, o ile to nie jest sprzeczne z prawem miejscowości, stawać osobiście lub przez zastępcę w imieniu beneficjaruszy obywateli Państwa wysyłającego niezamieszkałych w kraju jego urzęduowania przed właściwymi władzami, wykonywającemi ustawy o odskodowaniu za wypadki przy pracy, lub podobne ustawy, z tym samym skutkiem jak gdyby posiadał pełnomocnictwo od takich beneficjaruszy, chyba że beneficjarusze ci stawili się osobiście lub przez prawnie wyznaczonych pełnomocników.

Without any known  
heirs.  
Appointment as ad-  
ministrator.

Status of.

Representative of  
non-resident benefi-  
ciary.

## Notice to consul.

Written notice of the death of their countrymen entitled to benefit by such laws should, whenever practicable, be given by the authorities administering the law to the appropriate consular officer of the country of which the deceased was a national.

## Handling funds for non-resident countrymen.

A consular officer of either High Contracting Party may on behalf of his non-resident countrymen collect and receipt for their distributive shares derived from estates in process of probate or accruing under the provisions of so-called workmen's compensation laws or other like statutes provided he remits any funds so received through the appropriate agencies of his Government to the proper distributees.

## Rights over estates under local jurisdiction.

A consular officer of either High Contracting Party shall, within his district, have the right to appear personally or by delegate in all matters concerning the administration and distribution of the estate of a deceased person under the jurisdiction of the local authorities for all such heirs or legatees in said estate, either minors or adults, as may be non-residents and nationals of the country represented by the said consular officer with the same effect as if he held their power of attorney to represent them unless such heirs or legatees themselves have appeared either in person or by duly authorized representative.

## Consular authority over shipping controversies.

A consular officer shall have exclusive jurisdiction over controversies arising out of the internal order of private vessels of his country, and shall alone exercise

Zawiadomienie na piśmie o śmierci ich współobywateli, mających prawo do korzyści wynikających z takich ustaw, winno być, skoro tylko to będzie możliwe, wysłane przez odnośne władze do właściwego urzędnika konsularnego kraju, którego obywatelem był zmarły.

Urzędnik konsularny każdej z Wysokich Umawiających się Stron może w imieniu obywateli Państwa wysyłającego, niezamieszkałych w kraju przyjmującym, kwitować z odbioru ich udziałów, pochodzących z realizacji spadków w drodze postępowania sądowego lub uzyskanych na mocy postanowień Prawa o odszkodowaniu robotników, t. zw. Workmen's Compensation Laws, lub innych ustaw tego rodzaju, z warunkiem, że przekaże on wszelkie w ten sposób uzyskane fundusze za pośrednictwem właściwych organów swego rządu odnośnym osobom uprawnionym do ich otrzymania.

## ARTICLE XXIV

## ARTYKUŁ XXIV

Urzędnik konsularny każdej z Wysokich Umawiających się Stron będzie miał prawo w swoim okręgu konsularnym stawać, osobiście lub przez zastępcę we wszystkich sprawach, dotyczących zarządu i podziału spadku osoby zmarłej, należących do kompetencji władz miejscowych w imieniu wszystkich spadkobierców lub legatarjuszy, zainteresowanych w danym spadku, tak małoletnich, jak i pełnoletnich tam niezamieszkałych obywateli kraju wysyłającego z tym samym skutkiem prawnym, jak gdyby miał ich pełnomocnictwo do reprezentowania ich, chyba, że dani spadkobiercy lub legatarjusze stawili się osobiście lub przez należycie upoważnionego przedstawiciela.

## ARTICLE XXV

## ARTYKUŁ XXV

Urzędnik konsularny będzie miał wyłączne prawo rozstrzygania sporów, wynikających z regulaminu wewnętrznego statków prywatnych jego kraju; do

jurisdiction in cases, wherever arising, between officers and crews, pertaining to the enforcement of discipline on board, provided the vessel and the persons charged with wrongdoing shall have entered a port within his consular district. Such an officer shall also have jurisdiction over issues concerning the adjustment of wages and the execution of contracts relating thereto provided the local laws so permit.

When an act committed on board of a private vessel under the flag of the State by which the consular officer has been appointed and within the territorial waters of the State to which he has been appointed constitutes a crime according to the laws of that State, subjecting the person guilty thereof to punishment as a criminal, the consular officer shall not exercise jurisdiction except in so far as he is permitted to do so by the local law.

A consular officer may freely invoke the assistance of the local police authorities in any matter pertaining to the maintenance of internal order on board of a vessel under the flag of his country within the territorial waters of the State to which he is appointed, and upon such a request the requisite assistance shall be given.

A consular officer may appear with the officers and crews of vessels under the flag of his country before the judicial authorities of the State to which he is appointed to render assistance as an interpreter or agent.

#### ARTICLE XXVI

A consular officer of either High Contracting Party shall have the right to inspect within the ports of the other High Contracting Party within his consular district, the private vessels of any flag destined or about to clear for ports of the country appointing him in order to observe the sanitary conditions and

niego też jedynie należy rozstrzyganie sporów wynikłych pomiędzy oficerami a załogą takich statków, a dotyczących wykonywania na statku dyscypliny, o ile statek i osoby obwinione o popełnienie wykroczenia przybyły do portu, znajdującego się w obrębie jego okręgu konsularnego. Urzędnik taki ma również prawo do rozstrzygania spraw dotyczących uregulowania płac i wykonywania odnośnych kontraktów, o ile prawa miejscowe na to pozwalały.

Jeżeli na statku prywatnym, płynącym pod banderą Państwa wysyłającego urzędnika konsularnego, popełniony zostanie w granicach wód terytorialnych Państwa przyjmującego czyn, który w myśl ustaw tego Państwa uważany jest za przestępstwo, pociągające za sobą karę dla winnej osoby jako przestępcy, urzędnik konsularny nie będzie korzystał ze wspomnianych uprawnień, chyba, że na to zezwalają prawa miejscowe.

Urzędnik konsularny może nie krępując się wzywać pomocy miejscowych władz policyjnych we wszelkich wypadkach, dotyczących utrzymania wewnętrznego porządku na statku, płynącym pod banderą jego kraju, w granicach wód terytorialnych Państwa przyjmującego, a na takie żądanie potrzebna pomoc winna mu być udzielona.

Urzędnik konsularny może stać wraz z oficerami i załogą statków, płynących pod banderą jego Państwa, przed władzami sądowymi Państwa przyjmującego w celu okazania pomocy jako tłumacz lub pośrednik.

*Crimes on private  
vessels in territorial  
waters.*

*Local aid to maintain  
order on shipboard.*

*Appearance before ju-  
dicial authorities.*

Urzędnik konsularny każdej z Wysokich Umawiających się Stron będzie miał prawo w portach drugiej Wysokiej Umawiającej się Strony, leżących w obrębie jego okręgu konsularnego, przeprowadzać inspekcje na statkach prywatnych, niezależnie od ich bander, mających się udać lub wyruszających do portów

*Inspection, etc., of  
vessels, clearing for  
ports of consul's coun-  
try.*

measures taken on board such vessels, and to be enabled thereby to execute intelligently bills of health and other documents required by the laws of his country, and to inform his Government concerning the extent to which its sanitary regulations have been observed at ports of departure by vessels destined to its ports, with a view to facilitating entry of such vessels therein.

kraju wysyłającego, celem zbadania warunków i zarządzeń sanitarnych, wydanych na tychże okrętach, aby tem samem mieć możliwość należytego sporządzenia świadectw zdrowotności i innych dokumentów wymaganych przez ustawodawstwo jego kraju oraz informować swój Rząd, w jakiej mierze jego przepisy sanitarne były przestrzegane w portach odjazdowych przez statki udające się do portów jego kraju, a to ze względu na ułatwienie statkom powyższym wjazdu do portu.

### ARTICLE XXVII

*Salvage of ship-wrecked vessels.*

All proceedings relative to the salvage of vessels of either High Contracting Party wrecked upon the coasts of the other shall be directed by the consular officer of the country to which the vessel belongs and within whose district the wreck may have occurred. Pending the arrival of such officer, who shall be immediately informed of the occurrence, the local authorities shall take all necessary measures for the protection of persons and the preservation of wrecked property. The local authorities shall not otherwise interfere than for the maintenance of order, the protection of the interests of the salvors, if these do not belong to the crews that have been wrecked, and to carry into effect the arrangements made for the entry and exportation of the merchandise saved. It is understood that such merchandise is not to be subjected to any custom house charges, unless it be intended for consumption in the country where the wreck may have taken place.

*Local intervention limited.*

The intervention of the local authorities in these different cases shall occasion no expense of any kind, except such as may be caused by the operations of salvage and the preservation of the goods saved, together with such as would be incurred under similar circumstances by vessels of the nation.

### ARTYKUŁ XXVII

Wszelkimi czynnościami, odnoszącymi się do ratownictwa statków każdej z Wysokich Umarwiających się Stron, które rozbily się u brzegów drugiej, będzie kierował urzędnik konsularny kraju, do którego dany statek należy i w granicach którego okręgu konsularnego rozbicie statku nastąpiło. Do chwili przybycia takiego urzędnika, który niezwłocznie winien być zawiadomiony o wypadku, władze miejskie winny podjąć wszelkie potrzebne kroki dla ochrony osób i zabezpieczenia mienia dotkniętego katastrofa. Władze miejskie będą interweniowały jedynie w celu utrzymania porządku i zabezpieczenia interesów osób ratujących, o ile one nie należą do załogi statku, który uległ rozbiciu, oraz w celu wykonywania zarządzeń wydanych w sprawie przywozu i wywozu uratowanych towarów. Rozumie się, że towary takie nie podlegają żadnym opłatom celnym, chyba, że są przeznaczone do spożycia w kraju, gdzie nastąpiło rozbicie się statku.

Interwencja władz miejscowych w tych wypadkach nie będzie pociągała za sobą żadnych kosztów, oprócz tych, które wywołane zostały akcją ratowniczą i zabezpieczeniem uratowanych towarów, oraz tych, które w podobnych okolicznościach ponosiłyby okręty ich własnego kraju.

## ARTICLE XXVIII

Subject to any limitation or exception hereinabove set forth, or hereafter to be agreed upon, the territories of the High Contracting Parties to which the provisions of this Treaty extend shall be understood to comprise all areas of land, water, and air over which the Parties respectively claim and exercise dominion as sovereign thereof, except the Panama Canal Zone.

## ARTYKUŁ XXVIII

Uwzględniając wszelkie ograniczenia lub wyjątki, wyżej wymienione, lub mogące być później umówionemi, terytorja Wysokich Umawiających się Stron, na które rozciągają się postanowienia niniejszego Traktatu, będą rozmiane jako obejmujące wszelkie obszary lądu, wody i powietrza, co do których Strony roszczą sobie prawo i wykonywują władzę suwerenną, z wyjątkiem strefy Kanału Panamskiego.

Territories embraced.

## ARTICLE XXIX

The Polish Government which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Versailles and Articles 2 and 6 of the Treaty signed in Paris on November 9, 1920, between Poland and the Free City of Danzig, reserves hereby the right to declare that the Free City of Danzig is a Contracting Party to this Treaty and that it assumes the obligations and acquires the rights laid down therein.

This reservation does not relate to those stipulations of the Treaty which the Republic of Poland has accepted with regard to the Free City in accordance with the Treaty rights conferred on Poland.

## ARTYKUŁ XXIX

Rząd Polski, któremu powierzone zostało prowadzenie spraw zagranicznych Wolnego Miasta Gdańska w myśl artykułu 104 Traktatu Wersalskiego i artykułów 2 i 6 Konwencji Paryskiej pomiędzy Polską a Wolnym Miastem Gdańskim z dnia 9 listopada 1920 roku, zastrzega sobie prawo oświadczenia, że Wolne Miasto jest Umawiającą się Stroną w niniejszym Traktacie i że przyjmuje zobowiązania i nabywa prawa, w nim ustalone.

Reservation by Poland as to the Free City of Danzig.  
Post, p. 1680.

Zastrzeżenie powyższe nie odnosi się do tych postanowień niniejszego Traktatu, które Rzeczpospolita Polska w stosunku do Wolnego Miasta Gdańska już przyjęła w wykonaniu swych praw wynikających z odnośnych Traktatów.

## ARTICLE XXX

The present Treaty shall be ratified and the ratifications thereof shall be exchanged at Warsaw. The Treaty shall take effect in all its provisions thirty days from the date of the exchange of ratifications and shall remain in full force for the term of one year thereafter.

## ARTYKUŁ XXX

Traktat niniejszy będzie ratyfikowany, a dokumenty ratyfikacyjne zostaną wymienione w Warszawie. Niniejszy Traktat we wszystkich swych postanowieniach wejdzie w życie w przeciągu 30 dni od daty wymiany dokumentów ratyfikacyjnych i pozostanie w pełnej mocy na przestrzeni jednego roku od daty wejścia w życie.

Ratification.

Duration.

If within six months before the expiration of the aforesaid period of one year neither High Contracting Party notifies to the other an intention of modifying by change or omission, any of the provisions of any of the Articles

O ile na sześć miesięcy przed upływem wyżej podanego jednorocznego okresu żadna z Wysokich Umawiających się Stron nie zawiadomi drugiej o swym zamiarze zmiany lub wypuszczenia jakiegokolwiek bądź postanowienia które-

in this Treaty or of terminating it upon the expiration of the aforesaid period, the Treaty shall remain in full force and effect after the aforesaid period and until six months from such a time as either of the High Contracting Parties shall have notified to the other an intention of modifying or terminating the Treaty.

## Signatures.

In witness whereof the respective Plenipotentiaries have signed this Treaty and have affixed their seals thereto.

Done in duplicate, each in the English and Polish languages, both authentic, at Washington, this fifteenth day of June, one thousand nine hundred and thirty-one.

gokolwiek z artykułów niniejszego Traktatu lub o jego rozwiązaniu z chwilą upływu wyżej wymienionego okresu czasu, Traktat pozostanie nadal w mocy po upływie wyżej wymienionego okresu aż do upływu sześciu miesięcy od chwili, w której którakolwiek z Wysokich Umawiających się Stron zawiadomi drugą o swym zamiarze zmiany lub rozwiązania Traktatu.

Na dowód czego pełnomocnicy obu Stron podpisali niniejszy Traktat i wycisnęli na nim swoje pieczęcie.

Sporządzono w Waszyngtonie, w dwóch egzemplarzach, oba w języku angielskim i polskim, jednakowo obowiązujących, dnia 15 czerwca tysiąc dziewięćset trzydziestego pierwszego roku.

HENRY L STIMSON [SEAL]  
TYTUS FILIPOWICZ [SEAL]

## Ratifications exchanged.

AND WHEREAS the said treaty has been duly ratified on both parts and the ratifications of the two Governments were exchanged in the city of Warsaw on the ninth day of June, one thousand nine hundred and thirty-three;

AND WHEREAS by the terms of Article XXX thereof the said Treaty shall take effect in all its provisions thirty days from the date of the exchange of ratifications;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of July in the year of our Lord one thousand nine hundred and thirty-three  
[SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

*Ante, p. 1533.*

Proclamation.

**AGREEMENT CONCERNING PROOF OF THE ORIGIN OF IMPORTED  
MERCHANDISE EFFECTED BY EXCHANGE OF NOTES PROVIDED FOR IN THE TENTH PARAGRAPH OF ARTICLE VI OF  
THE TREATY**

Agreement concerning proof of origin of imported merchandise.  
*Ante*, p. 1515.

*The Secretary of State (Stimson) to the Polish Ambassador (Filipowicz)*

DEPARTMENT OF STATE,  
Washington, June 15, 1931.

EXCELLENCY:

I have the honor to communicate to Your Excellency my understanding of the agreement reached regarding the requirements for furnishing proof of the origin of imported merchandise entitled to the benefits of the treaty of friendship, commerce and consular rights signed this day on behalf of the United States of America and Poland.

In the event that proof of the origin of imported goods is required by either Party pursuant to the provisions of the tenth paragraph of Article VI of the treaty, it is agreed that

(1) A declaration by the shipper in the country of origin legalized by a consular representative of the country of final destination resident in the country of origin shall be accepted as satisfactory proof of the origin of the goods. As far as certificates of origin for importation into the Polish customs territory are concerned, the above-mentioned shipper's declaration before legalization by a consular representative of Poland, has to be certified by a competent Chamber of Commerce or similar organization, subject to the exceptions provided for in subparagraph (a) of paragraph (3) hereof.

(2) For indirect shipments an acceptable alternative to the certificate of origin obtained in the country of origin as provided in paragraph (1) shall be proof of origin obtainable in the intermediate country from which the goods are last shipped to the country of final destination. Such proof shall consist of a declaration by the consignor of the goods in the intermediate country before a consular officer of the country of origin resident in the intermediate country, certified by the latter and approved by a consular representative of the country of final destination resident in the intermediate country, it being understood that the consular representatives of the country of origin shall not certify the shipper's declaration for this purpose unless they are satisfied upon examination of documentary or other evidence that the statements made therein are true.

(3) The attached form of certificate of origin for use in connection with direct shipments from the United States to Poland and the attached form for use in connection with indirect shipments from the United States to Poland through an intermediate country or countries,

respectively, conform to the provisions above set forth, it being understood and agreed, however, that

(a) If the circumstances of any particular case render it impracticable for the shipper of the goods to obtain certification on a certificate of origin by a Chamber of Commerce or similar organization, the certificate of origin may be submitted for authentication directly to a Polish consular officer, and the fact that certification by a Chamber of Commerce or similar organization has not been obtained shall not be considered by such consular officer as of itself sufficient ground for refusing to authenticate the document.

(b) If at the time the certificate of origin is made out circumstances render it difficult or inconvenient for shippers to specify on such certificate the name of the vessel on which the goods are to be shipped, the necessities and convenience of shippers shall be taken into account either by waiving this requirement or by making such other provision as the circumstances of the case require.

(c) In exceptional cases in which doubt exists regarding the exact proportion of the value of any given article represented by the costs of the labor and raw material of the United States, or in which such proportion is less than fifty per centum, but the article, in view of the nature and extent of the processes to which it has been subjected, is distinctly an American product, no certification regarding such proportion on a certificate of origin shall be required.

Any article in which the raw material or the labor of the United States represents less than fifty per centum of the total value shall, nevertheless, be deemed to be a product of the United States if a like article from any third country representing less than fifty per centum in value the labor and raw material of such third country is deemed to be a product of that country.

(4) In the event that modification of the requirements outlined in the preceding paragraphs is at any time considered desirable from the viewpoint of either Party, it is agreed that its proposals to this end shall be given sympathetic consideration by the other Party.

I shall be glad to have your confirmation of the accord thus reached.

Accept, Excellency, the renewed assurances of my highest consideration.

HENRY L. STIMSON

Annexes:

Form of certificate of origin for use in connection with direct shipments;

Form of certificate of origin for use in connection with indirect shipments.

HIS EXCELLENCY

MR. TYTUS FILIPOWICZ,

*Ambassador of Poland.*

[Enclosure 1]

Forms.

No.

No.  
of the institution executing \_\_\_\_\_  
the certificate of origin.

Certificate of origin, direct shipments.

## Certificate of origin

I, (member or manager of the firm or corporation)-----

-----  
 exporter of the merchandise described below, do solemnly and truly  
 declare that the said merchandise { is the growth of      has been finished in      } the  
 United States of America, and that not less than 50 per cent of the  
 total value of the goods represents the cost of labor and raw material  
 in the United States, and that the said merchandise is correctly  
 described as follows:

Port of shipment-----

On steamship-----  
 (name of steamship)Name of shipper-----  
 (indicate whether merchant or manufacturer)

Address of shipper-----

Consignee in Poland-----  
 (indicate whether merchant or manufacturer)

Address of consignee in Poland-----

Dated-----

Marks and numbers	No. of packages or cases	Description of the commodities	Gross	Net	Value
-----	-----	-----	-----	-----	-----

-----Signature of Exporter

Subscribed and sworn to before me this ----- day of -----  
 19-----

----- Notary Public

## CERTIFICATION BY CHAMBER OF COMMERCE

----- 19 -----

-----  
 a recognized chamber of commerce has examined the manufacturers  
 invoice of shippers affidavit concerning the origin of the merchandise,  
 and according to the best of its knowledge and belief, finds the products  
 named originated in the United States of America.

(Signature and seal of the Institution  
 executing the Certificate of Origin)

(Certification of competent Polish Consular Officer)

Certificate of origin,  
indirect shipments.

[Enclosure 2]

-----  
Place and date

CERTIFICATE OF ORIGIN

I  
We (consignor of the goods) -----

-----  
(name of individual or of the firm)  
exporter(s) of the merchandise described below, do solemnly and  
truly declare that the said merchandise {is the growth of  
has been finished in  
has been manufactured in}  
the United States of America, and that not less than 50 per cent of the  
total value of the goods represents the cost of labor and raw material  
in the United States, and that the said merchandise is correctly  
described as follows:

Marks and numbers	No. of packages or cases	Description of commodities	Weight Gross	Net	Value

The above described merchandise is to be shipped per -----

-----  
(indicate whether on steamship (name) or by railway)  
from -----  
(place of shipment)  
Consignee in the Polish custom territory-----  
Address of consignee in the Polish custom territory-----

-----  
Signature of consignor.

Certification by the competent consular authority of the U.S.A.

----- 19 -----

(Place and date)

No. -----  
(of the consular representative certifying the certificate of origin)

I do hereby certify, that I have examined the documents concerning  
the merchandise described above by the consignor, and according to  
my best knowledge and belief, I find the products named originated  
in the United States of America.

Witness my hand and seal of office the day and year aforesaid.

----- of the United States of America.

(Certification by the competent Polish consular representative).

*The Polish Ambassador (Filipowicz) to the Secretary of State (Stimson)* Agreement by Poland.

AMBASADA POLSKA  
W WASZYNGTONIE

No. 2241/31

*June 15, 1931.*

SIR:

I have the honor to acknowledge the receipt of your note of this date concerning your understanding of the agreement reached regarding the requirements for furnishing proof of the origin of imported merchandise entitled to the benefits of the treaty of friendship, commerce and consular rights signed this day on behalf of Poland and the United States of America, and to confirm that understanding, as follows:

In the event that proof of the origin of imported goods is required by either Party pursuant to the provisions of the tenth paragraph of Article VI of the treaty, it is agreed that

(1) A declaration by the shipper in the country of origin legalized by a consular representative of the country of final destination resident in the country of origin shall be accepted as satisfactory proof of the origin of the goods. As far as certificates of origin for importation into the Polish customs territory are concerned, the above-mentioned shipper's declaration, before legalization by a consular representative of Poland, has to be certified by a competent Chamber of Commerce or similar organization, subject to the exceptions provided for in subparagraph (a) of paragraph (3) hereof.

(2) For indirect shipments an acceptable alternative to the certificate of origin obtained in the country of origin as provided in paragraph (1) shall be proof of origin obtainable in the intermediate country from which the goods are last shipped to the country of final destination. Such proof shall consist of a declaration by the consignor of the goods in the intermediate country before a consular officer of the country of origin resident in the intermediate country, certified by the latter and approved by a consular representative of the country of final destination resident in the intermediate country, it being understood that the consular representatives of the country of origin shall not certify the shipper's declaration for this purpose unless they are satisfied upon examination of documentary or other evidence that the statements made therein are true.

(3) The attached form of certificate of origin for use in connection with direct shipments from the United States to Poland and the attached form for use in connection with indirect shipments from the United States to Poland through an intermediate country or countries, respectively, conform to the provisions above set forth, it being understood and agreed, however, that

(a) If the circumstances of any particular case render it impracticable for the shipper of the goods to obtain certification on a certificate of origin by a Chamber of Commerce or similar organization, the certificate of origin may be submitted for authentication directly to a Polish consular officer, and the fact

that certification by a Chamber of Commerce or similar organization has not been obtained shall not be considered by such consular officer as of itself sufficient ground for refusing to authenticate the document.

(b) If at the time the certificate of origin is made out circumstances render it difficult or inconvenient for shippers to specify on such certificate the name of the vessel on which the goods are to be shipped, the necessities and convenience of shippers shall be taken into account either by waiving this requirement or by making such other provision as the circumstances of the case require.

(c) In exceptional cases in which doubt exists regarding the exact proportion of the value of any given article represented by the costs of the labor and raw material of the United States, or in which such proportion is less than fifty per centum, but the article, in view of the nature and extent of the processes to which it has been subjected, is distinctly an American product, no certification regarding such proportion on a certificate of origin shall be required.

Any article in which the raw material or the labor of the United States represents less than fifty per centum of the total value shall, nevertheless, be deemed to be a product of the United States if a like article from any third country representing less than fifty per centum in value the labor and raw material of such third country is deemed to be a product of that country.

(4) In the event that modification of the requirements outlined in the preceding paragraphs is at any time considered desirable from the viewpoint of either Party, it is agreed that its proposals to this end shall be given sympathetic consideration by the other Party.

Accept, Sir, the renewed assurances of my highest consideration.

TYTUS FILIPOWICZ

THE HONORABLE  
HENRY L. STIMSON,  
*Secretary of State.*

[Enclosure 1]

No.

No.

No.  
of the institution executing  
the certificate of origin.

### **Certificate of origin**

I, (member or manager of the firm or corporation) \_\_\_\_\_

(name of individual and title)

**Port of shipment** \_\_\_\_\_

**On steamship** -----  
(name of steamship)

Name of shipper \_\_\_\_\_

(indicate whether merchant or manufacturer)

**Address of shipper** \_\_\_\_\_

Consignee in Poland \_\_\_\_\_

Address of consignee in Poland \_\_\_\_\_

Dated \_\_\_\_\_

Marks and numbers	No. of packages or cases	Description of the commodities	Weight		Value
			Gross	Net	

**.Signature of Exporter**

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_  
----- 19 -----

## Notary Public

**CERTIFICATION BY CHAMBER OF COMMERCE**

- 19 -

A Recognized Chamber of Commerce has examined the manufacturers invoice or shippers affidavit concerning the origin of the merchandise, and according to the best of its knowledge and belief, finds the products named originated in the United States of America.

(Signature and seal of the Institution  
executing the Certificate of Origin)

**(Certification of competent Polish Consular Officer)**

[Enclosure 2]

-----  
Place and date

## CERTIFICATE OF ORIGIN.

I  
We (consignor of the goods) -----

(name of individual or of the firm)  
 exporter(s) of the merchandise described below, do solemnly and  
 truly declare that the said merchandise { is the growth of  
 has been finished in }  
 has been manufactured in }  
 the United States of America, and that not less than 50 percent of the  
 total value of the goods represents the cost of labor and raw material  
 in the United States, and that the said merchandise is correctly  
 described as follows:

Marks and numbers	No. of packages or cases	Description of commodities	Weight Gross	Net	Value

The above described merchandise is to be shipped per -----

(indicate whether on steamship (name) or by railway)

from -----  
(place of shipment)

Consignee in the Polish custom territory -----  
 Address of consignee in the Polish custom territory -----

-----  
Signature of consignor.

Certification by the competent consular authority of the U.S.A.

----- 19 -----

(Place and date)

No. -----  
(of the consular representative  
certifying the certificate of origin)

I do hereby certify, that I have examined the documents concerning  
 the merchandise described above by the consignor, and according to  
 my best knowledge and belief, I find the products named originated  
 in the United States of America.

Witness my hand and seal of office the day and year aforesaid.

----- of the United States of America.

(Certification by the competent Polish consular representative.)

*Multilateral convention and protocol of signature concerning narcotic drugs, concluded at Geneva, July 13, 1931; ratification advised by the Senate, March 31, 1932; ratified by the President, April 8, 1932; ratification of the United States deposited at Geneva, April 28, 1932; proclaimed, July 10, 1933.*

July 13, 1931.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, dated Geneva, July 13, 1931, and left open for signature until December 31, 1931, was signed by the respective Plenipotentiaries of the United States of America, (with reservations); Germany; Argentine Republic; Austria; Belgium; Bolivia; Brazil; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; Canada; India; Chile; Costa Rica; Cuba; Denmark; Free City of Danzig; Dominican Republic; Egypt; Spain; Ethiopia; France (with a reservation); Greece; Guatemala; Hejaz, Nejd and Dependencies; Italy; Japan (with a reservation as recorded in the protocol of signature); Liberia; Lithuania; Luxembourg; Mexico; Monaco; Panama; Paraguay; The Netherlands; Persia; Poland; Portugal; Rumania; San Marino; Siam (with a reservation); Sweden; Switzerland; Czechoslovakia; Uruguay and Venezuela, together with a Protocol of Signature, the original of which Convention and Protocol, being in the English and French languages, are word for word as follows:

Narcotic drugs restriction convention.  
Preamble.

**CONVENTION POUR LIMITER LA FABRICATION  
ET RÉGLEMENTER LA DISTRIBUTION  
DES STUPÉFIANTS**

LE PRÉSIDENT DU REICH ALLEMAND; LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE; LE PRÉSIDENT FÉDÉRAL DE LA RÉPUBLIQUE D'AUTRICHE; SA MAJESTÉ LE ROI DES BELGES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE; LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL; SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU CHILI; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COSTA-RICA; LE PRÉSIDENT DE LA RÉPUBLIQUE DE CUBA; SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, POUR LA VILLE LIBRE DE DANTZIG; LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; SA MAJESTÉ LE ROI D'EGYPTE; LE PRÉSIDENT DU GOUVERNEMENT PROVISOIRE DE LA RÉPUBLIQUE ESPAGNOLE; SA MAJESTÉ L'EMPEREUR ROI DES ROIS D'ETHIOPIE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; LE PRÉSIDENT DE LA RÉPUBLIQUE HELLÉNIQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; SA MAJESTÉ LE ROI DU HEDJAZ, DU NEDJED ET DÉPENDANCES; SA MAJESTÉ LE ROI D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON; LE PRÉSIDENT DE LA RÉPUBLIQUE DU LIBÉRIA; LE PRÉSIDENT DE LA RÉPUBLIQUE DE LITHUANIE; SON ALTESSE ROYALE LA GRANDE-DUCHESSE DE LUXEMBOURG; LE PRÉSIDENT DES ÉTATS-UNIS DU MEXIQUE; SON ALTESSE SÉRÉNISSIME LE PRINCE DE MONACO; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS; SA MAJESTÉ IMPÉRIALE LE CHAH DE PERSE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE; SA MAJESTÉ LE ROI DE ROUMANIE; LES CAPITAINES-RÉGENTS DE LA RÉPUBLIQUE DE SAINT-MARIN; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'URUGUAY; LE PRÉSIDENT DES ÉTATS-UNIS DE VENEZUELA,

Désirant compléter les dispositions des Conventions internationales de l'opium signées à La Haye le 23 janvier 1912 et à Genève le 19 février 1925, en rendant effective par voie d'accord international la limitation de la fabrication des stupéfiants aux besoins légitimes du monde pour les usages médicaux et scientifiques, et en réglementant leur distribution,

Ont décidé de conclure une Convention à cet effet, et ont désigné pour leurs plénipotentiaires:

**CONVENTION FOR LIMITING THE MANUFACTURE  
AND REGULATING THE DISTRIBUTION  
OF NARCOTIC DRUGS.**

THE PRESIDENT OF THE GERMAN REICH; THE PRESIDENT OF THE UNITED STATES OF AMERICA; THE PRESIDENT OF THE ARGENTINE REPUBLIC; THE FEDERAL PRESIDENT OF THE AUSTRIAN REPUBLIC; HIS MAJESTY THE KING OF THE BELGIANS; THE PRESIDENT OF THE REPUBLIC OF BOLIVIA; THE PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL; HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA; THE PRESIDENT OF THE REPUBLIC OF CHILE; THE PRESIDENT OF THE REPUBLIC OF COSTA RICA; THE PRESIDENT OF THE REPUBLIC OF CUBA; HIS MAJESTY THE KING OF DENMARK AND ICELAND; THE PRESIDENT OF THE POLISH REPUBLIC, FOR THE FREE CITY OF DANZIG; THE PRESIDENT OF THE DOMINICAN REPUBLIC; HIS MAJESTY THE KING OF EGYPT; THE PRESIDENT OF THE PROVISIONAL GOVERNMENT OF THE SPANISH REPUBLIC; HIS MAJESTY THE EMPEROR AND KING OF THE KINGS OF ABYSSINIA; THE PRESIDENT OF THE FRENCH REPUBLIC; THE PRESIDENT OF THE HELLENIC REPUBLIC; THE PRESIDENT OF THE REPUBLIC OF GUATEMALA; HIS MAJESTY THE KING OF HEJAZ, NEJD AND DEPENDENCIES; HIS MAJESTY THE KING OF ITALY; HIS MAJESTY THE EMPEROR OF JAPAN; THE PRESIDENT OF THE REPUBLIC OF LIBERIA; THE PRESIDENT OF THE REPUBLIC OF LITHUANIA; HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBURG; THE PRESIDENT OF THE UNITED STATES OF MEXICO; HIS SERENE HIGHNESS THE PRINCE OF MONACO; THE PRESIDENT OF THE REPUBLIC OF PANAMA; THE PRESIDENT OF THE REPUBLIC OF PARAGUAY; HER MAJESTY THE QUEEN OF THE NETHERLANDS; HIS IMPERIAL MAJESTY THE SHAH OF PERSIA; THE PRESIDENT OF THE POLISH REPUBLIC; THE PRESIDENT OF THE PORTUGUESE REPUBLIC; HIS MAJESTY THE KING OF ROUMANIA; I CAPITANI REGGENTI OF THE REPUBLIC OF SAN MARINO; HIS MAJESTY THE KING OF SIAM; HIS MAJESTY THE KING OF SWEDEN; THE SWISS FEDERAL COUNCIL; THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC; THE PRESIDENT OF THE REPUBLIC OF URUGUAY; THE PRESIDENT OF THE UNITED STATES OF VENEZUELA,

Desiring to supplement the provisions of the International Opium Conventions, signed at The Hague on January 23rd, 1912, and at Geneva on February 19th, 1925, by rendering effective by international agreement the limitation of the manufacture of narcotic drugs to the world's legitimate requirements for medical and scientific purposes and by regulating their distribution,

Have resolved to conclude a Convention for that purpose and have appointed as their Plenipotentiaries:

Contracting powers

Purpose declared.  
Previous conventions  
supplemented.  
Vol. 38, p. 1912.

Plenipotentiaries.

*Le Président du Reich allemand:*

M. Werner Freiherr von RHEINBABEN, "Staatssekretär z. D.;"  
 Le docteur Waldemar KAHLER, Conseiller ministériel au Ministère de l'Intérieur du Reich.

*Le Président des Etats-Unis d'Amérique:*

M. John K. CALDWELL, du Département d'Etat;  
 M. Harry J. ANSLINGER, Commissaire des stupéfiants;  
 M. Walter Lewis TREADWAY, M.D., F.A.C.P., Chirurgien général adjoint, Chef du Service de l'Hygiène publique des Etats-Unis, Division de l'Hygiène mentale;  
 M. Sanborn YOUNG, Membre du Sénat de l'Etat de Californie.

*Le Président de la République Argentine:*

Le docteur Fernando PEREZ, Ambassadeur extraordinaire et plénipotentiaire près Sa Majesté le Roi d'Italie.

*Le Président fédéral de la République d'Autriche:*

M. Emerich PFLÜGL, Envoyé extraordinaire et Ministre plénipotentiaire, Représentant permanent auprès de la Société des Nations;  
 Le docteur Bruno SCHULTZ, Directeur de Police et Conseiller aulique, Membre de la Commission consultative du trafic de l'opium et autres drogues nuisibles.

*Sa Majesté le Roi des Belges:*

Le docteur F. DE MYTTEAERE, Inspecteur principal des pharmacies à Hal.

*Le Président de la République de Bolivie:*

Le docteur M. CUELLAR, Membre de la Commission consultative du trafic de l'opium et autres drogues nuisibles.

*Le Président de la République des Etats-Unis du Brésil:*

M. Raul do RIO BRANCO, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

*Sa Majesté le Roi de Grande-Bretagne et d'Irlande et des Dominions britanniques au delà des mers, Empereur des Indes:*

Pour la Grande-Bretagne et l'Irlande du Nord, ainsi que toutes les parties de l'Empire britannique non Membres séparés de la Société des Nations:

Sir Malcolm DELEVINGNE, K.C.B., Adjoint permanent au Secrétaire d'Etat, Ministère de l'Intérieur.

*Pour le Dominion du Canada:*

Le colonel C. H. L. SHARMAN, C.M.G., C.B.E., Chef de la Division des stupéfiants, Département des Pensions et de l'Hygiène publique;

Le docteur Walter A. RIDDELL, M.A., Ph.D. "Advisory Officer" du Dominion du Canada auprès de la Société des Nations.

*Pour l'Inde:*

Le docteur R. P. PARANJPYE, Membre du Conseil de l'Inde.

*Le Président de la République du Chili:*

M. Enrique GAJARDO, Membre de la Délégation permanente auprès de la Société des Nations.

*Le Président de la République de Costa-Rica:*

Le docteur Viriato FIGUEREDO LORA, Consul à Genève.

*The President of the German Reich:*

M. Werner Freiherr von RHEINBAREN, "Staatssekretär z.D.;"  
 Dr. Waldemar KAHLER, Ministerial Counsellor at the Ministry  
 of Interior of the Reich.

Plenipotentiaries—  
 Continued.

*The President of the United States of America:*

Mr. John K. CALDWELL, of the Department of State;  
 Mr. Harry J. ANSLINGER, Commissioner of Narcotics;  
 Mr. Walter Lewis TREADWAY, M.D., F.A.C.P., Assistant Sur-  
 geon-General, United States Public Health, Service Chief,  
 Division of Mental Hygiene;  
 Mr. Sanborn YOUNG, Member of the Senate of the State of  
 California.

*The President of the Argentine Republic:*

Dr. Fernando PEREZ, Ambassador Extraordinary and Plenipo-  
 tentiary to His Majesty the King of Italy.

*The Federal President of the Austrian Republic:*

M. Emerich PFLÜGL, Envoy Extraordinary and Minister Pleni-  
 potentiary, Permanent Representative accredited to the  
 League of Nations;  
 Dr. Bruno SCHULTZ, Police Director and "Conseiller aulique",  
 Member of the Advisory Committee on Traffic in Opium  
 and Other Dangerous Drugs.

*His Majesty the King of Belgium:*

Dr. F. DE MYTTEAERE, Principal Inspector of Chemistry at Hal.

*The President of the Republic of Bolivia:*

Dr. M. CUELLAR, Member of the Advisory Committee on Traffic  
 in Opium and Other Dangerous Drugs.

*The President of the Republic of the United States of Brazil:*

M. Raul do Rio BRANCO, Envoy Extraordinary and Minister  
 Plenipotentiary to the Swiss Federal Council.

*His Majesty the King of Great Britain, Ireland and the British Domi-  
 nions beyond the Seas, Emperor of India:*

For Great Britain and Northern Ireland and all parts of the British  
 Empire which are not separate Members of the League of  
 Nations:

Sir Malcolm DELEVINGNE, K.C.B., Permanent Deputy-Under-  
 Secretary in the Home Office.

*For the Dominion of Canada:*

Colonel C. H. L. SHARMAN, C.M.G., C.B.E., Chief Narcotic  
 Division, Department of Pensions and National Health;

Dr. Walter A. RIDDELL, M.A., Ph.D., Dominion of Canada  
 Advisory Officer accredited to the League of Nations.

*For India:*

Dr. R. P. PARANJPYE, Member of the Council of India.

*The President of the Republic of Chile:*

M. Enrique GAJARDO, Member of the Permanent Delegation  
 accredited to the League of Nations.

*The President of the Republic of Costa Rica:*

Dr. Viriato FIGUEREDO LORA, Consul at Geneva.

*Le Président de la République de Cuba:*

M. Guillermo DE BLANCK, Envoyé extraordinaire et Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations;  
Le docteur Benjamin PRIMELLES.

*Sa Majesté le Roi de Danemark et d'Islande:*

M. Gustav RASMUSSEN, Chargé d'affaires à Berne.

*Le Président de la République de Pologne (pour la Ville libre de Dantzig):*

M. François SOKAL, Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations.

*Le Président de la République Dominicaine:*

M. Charles ACKERMANN, Consul général à Genève.

*Sa Majesté le Roi d'Egypte:*

T. W. RUSSELL pacha, Commandant de la police du Caire et Directeur du Bureau central des informations relatives aux narcotiques.

*Le Président du Gouvernement provisoire de la République espagnole:*

M. Julio CASARES, Chef de section au Ministère des Affaires étrangères.

*Sa Majesté l'Empereur Roi des Rois d'Ethiopie:*

Le comte LAGARDE, duc d'ENTOTTO, Ministre plénipotentiaire, Représentant auprès de la Société des Nations.

*Le Président de la République française:*

M. Gaston BOURGOIS, Consul de France.

*Le Président de la République hellénique:*

M. R. RAPHAËL, Délégué permanent auprès de la Société des Nations.

*Le Président de la République de Guatémala:*

M. Luis MARTÍNEZ MONT, Professeur de psychologie expérimentale aux Ecoles secondaires de l'Etat.

*Sa Majesté le Roi du Hedjaz, du Nedjed et Dépendances:*

Cheik HAFIZ WAHBA, Envoyé extraordinaire et Ministre plénipotentiaire près Sa Majesté Britannique.

*Sa Majesté le Roi d'Italie:*

M. Stefano CAVAZZONI, Sénateur, ancien Ministre du Travail.

*Sa Majesté l'Empereur du Japon:*

M. Setsuzo SAWADA, Ministre plénipotentiaire, Directeur du Bureau du Japon auprès de la Société des Nations;  
M. Shigeo OHDACHI, Secrétaire au Ministère de l'Intérieur, Chef de la Section administrative.

*Le Président de la République de Libéria:*

Le docteur Antoine SOTTILE, Envoyé extraordinaire et Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations.

*Le Président de la République de Lithuanie:*

Le docteur Dovas ZAUNIUS, Ministre des Affaires étrangères.  
M. Juozas SAKALAUSKAS, Chef de Section au Ministère des Affaires étrangères.

*The President of the Republic of Cuba:*

M. Guillermo DE BLANCK, Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations;  
Dr. Benjamin PRIMELLES.

Plenipotentiaries—Continued.

*His Majesty the King of Denmark and Iceland:*

M. Gustav RASMUSSEN, Chargé d'affaires at Berne.

*The President of the Polish Republic (for the Free City of Danzig):*

M. François SOKAL, Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

*The President of the Dominican Republic:*

M. Charles ACKERMANN, Consul-General at Geneva.

*His Majesty the King of Egypt:*

T. W. RUSSELL Pasha, Chief of Police of Cairo and Director of the Central Bureau for Information with regard to Narcotics.

*The President of the Provisional Government of the Spanish Republic:*

M. Julio CASARES, Head of Section at the Ministry for Foreign Affairs.

*His Majesty the Emperor and King of the Kings of Abyssinia:*

Count LAGARDE, Duke of ENTOTTO, Minister Plenipotentiary, Representative accredited to the League of Nations.

*The President of the French Republic:*

M. Gaston BOURGOIS, Consul of France.

*The President of the Hellenic Republic:*

M. R. RAPHAËL, Permanent Delegate accredited to the League of Nations.

*The President of the Republic of Guatemala:*

M. Luis MARTÍNEZ MONT, Professor of Experimental Psychology in Secondary Schools of State.

*His Majesty the King of Hejaz, Nejd and Dependencies:*

Cheik HAFIZ WAHBA, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty.

*His Majesty the King of Italy:*

M. Stefano CAVAZZONI, Senator, Former Minister of Labour.

*His Majesty the Emperor of Japan:*

M. Setsuzo SAWADA, Minister Plenipotentiary, Director of the Japanese Bureau accredited to the League of Nations;  
M. Shigeo OHDAKI, Secretary at the Ministry for Home Affairs, Head of the Administrative Section.

*The President of the Republic of Liberia:*

Dr. Antoine SOTTILE, Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

*The President of the Republic of Lithuania:*

Dr. Dovas ZAUNIUS, Minister for Foreign Affairs.

M. Juozas SAKALAUSKAS, Head of Section at the Ministry for Foreign Affairs.

*Son Altesse Royale la Grande-Duchesse de Luxembourg:*

M. Charles VERMAIRE, Consul à Genève.

*Le Président des Etats-Unis du Mexique:*

M. Salvador MARTÍNEZ DE ALVA, Observateur permanent auprès de la Société des Nations.

*Son Altesse Sérénissime le Prince de Monaco:*

M. Conrad E. HENTSCH, Consul général à Genève.

*Le Président de la République de Panama:*

Le docteur Ernesto HOFFMANN, Consul général à Genève.

*Le Président de la République du Paraguay:*

Le docteur Ramón V. CABALLERO DE BEDOYA, Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française, Délégué permanent auprès de la Société des Nations.

*Sa Majesté la Reine des Pays-Bas:*

M. W. G. VAN WETTUM, Conseiller du Gouvernement pour les affaires internationales de l'opium.

*Sa Majesté Impériale le Chah de Perse:*

M. A. SEPAHBODY, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.

*Le Président de la République de Pologne:*

M. Witold CHODZKO, ancien Ministre.

*Le Président de la République portugaise:*

Le docteur Augusto DE VASCONCELLOS, Ministre plénipotentiaire, Directeur général du Secrétariat portugais de la Société des Nations;

Le docteur Alexandre FERRAZ DE ANDRADE, premier Secrétaire de Légation, Chef de la Chancellerie portugaise auprès de la Société des Nations.

*Sa Majesté le Roi de Roumanie:*

M. Constantin ANTONIADE, Envoyé extraordinaire et Ministre plénipotentiaire auprès de la Société des Nations.

*Les Capitaines-Régents de la République de Saint-Marin:*

Le professeur C. E. FERRI, Avocat.

*Sa Majesté le Roi de Siam:*

Son Altesse Sérénissime le Prince DAMRAS, Envoyé extraordinaire et Ministre plénipotentiaire près Sa Majesté Britannique, Représentant permanent auprès de la Société des Nations.

*Sa Majesté le Roi de Suède:*

M. K. I. WESTMAN, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

*Le Conseil fédéral suisse:*

M. Paul DINICHERT, Ministre plénipotentiaire, Chef de la Division des Affaires étrangères du Département politique fédéral;

Le docteur Henri CARRIÈRE, Directeur du Service fédéral de l'Hygiène publique.

*Her Royal Highness the Grand-Duchess of Luxemburg:*  
M. Charles VERMAIRE, Consul at Geneva.

Plenipotentiaries—  
Continued.

*The President of the United States of Mexico:*  
M. Salvador MARTÍNEZ DE ALVA, Permanent Observer accredited  
to the League of Nations.

*His Serene Highness the Prince of Monaco:*  
M. Conrad E. HENTSCHE, Consul-General at Geneva.

*The President of the Republic of Panama:*  
Dr. Ernesto HOFFMANN, Consul-General at Geneva.

*The President of the Republic of Paraguay:*  
Dr. Ramón V. CABALLERO DE BEDOYA, Envoy Extraordinary  
and Minister Plenipotentiary to the President of the French  
Republic, Permanent Delegate accredited to the League of  
Nations.

*Her Majesty the Queen of the Netherlands:*  
M. W. G. VAN WETTUM, Government Adviser for International  
Opium Questions.

*His Imperial Majesty the Shah of Persia:*  
M. A. SEPAHBODY, Envoy Extraordinary and Minister Plenipo-  
tentiaty to the Swiss Federal Council, Permanent Delegate  
accredited to the League of Nations.

*The President of the Polish Republic:*  
M. Witold CHODZKO, Former Minister.

*The President of the Portuguese Republic:*  
Dr. Augusto DE VASCONCELLOS, Minister Plenipotentiary,  
General Director of the Portuguese Secretariat of the  
League of Nations;  
Dr. Alexandre FERRAZ DE ANDRADE, First Secretary of Legation,  
Chief of the Portuguese Office accredited to the League of  
Nations.

*His Majesty the King of Roumania:*  
M. Constantin ANTONIADE, Envoy Extraordinary and Minister  
Plenipotentiary accredited to the League of Nations.

*I Capitani Reggenti of the Republic of San Marino:*  
Professor C. E. FERRI, Advocate.

*His Majesty the King of Siam:*  
His Serene Highness Prince DAMRAS, Envoy Extraordinary and  
Minister Plenipotentiary to His Britannic Majesty, Per-  
manent Representative accredited to the League of Nations.

*His Majesty the King of Sweden:*  
M. K. I. WESTMAN, Envoy Extraordinary and Minister Plenipo-  
tentiaty to the Swiss Federal Council.

*The Swiss Federal Council:*  
M. Paul DINICHERT, Minister Plenipotentiary, Chief of the  
Division for Foreign Affairs of the Federal Political Depart-  
ment;  
Dr. Henri CARRIÈRE, Director of the Federal Service of Public  
Health.

*Le Président de la République tchécoslovaque:*

M. Zdeněk FIERLINGER, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.

*Le Président de la République de l'Uruguay:*

Le docteur Alfredo DE CASTRO, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

*Le Président des Etats-Unis du Venezuela:*

Le docteur L. G. CHACÍN-ITRIAGO, Chargé d'affaires à Berne, Membre de l'Académie de médecine de Caracas.

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

#### CHAPITRE I.—DÉFINITIONS.

##### *Article premier.*

Sauf indication expresse contraire, les définitions ci-après s'appliquent à toutes les dispositions de la présente Convention:

1. Par "Convention de Genève", on entend la Convention internationale de l'opium signée à Genève le 19 février 1925.
2. Par "Drogues", on entend les drogues suivantes, qu'elles soient partiellement fabriquées ou entièrement raffinées,

##### *Groupe I.*

###### *Sous-groupe (a):*

- i) La morphine et ses sels, y compris les préparations faites en partant directement de l'opium brut ou médicinal et contenant plus de 20% de morphine;
- ii) La diacétylmorphine et les autres esters (éthers-sels) de la morphine et leurs sels;
- iii) La cocaïne et ses sels, y compris les préparations faites en partant directement de la feuille de coca et contenant plus de 0,1% de cocaïne, tous les esters de l'ecgonine et leurs sels;
- iv) La dihydrooxycodéinone (dont l'eucodal, nom déposé, est un sel), la dihydrocodéinone (dont le dicodide, nom déposé, est un sel), la dihydromorphinone (dont le dilaudide, nom déposé, est un sel), l'acétylodihydrocodéinone ou l'acétylodéméthylodihydrothébaïne (dont l'acédicone, nom déposé, est un sel), la dihydromorphine (dont le paramorfan, nom déposé, est un sel), leurs esters et les sels de l'une quelconque de ces substances et leurs esters, la N-oxymorphine (génomorphine, nom déposé), les composés N-oxymorphiniques, ainsi que les autres composés morphiniques à azote pentavalent.

###### *Sous-groupe (b):*

L'ecgonine, la thébaïne et leurs sels, les éthers-oxydes de la morphine, tels que la benzylmorphine, et leurs sels, à l'exception de la méthylmorphine (codéine), de l'éthylmorphine et de leurs sels.

##### *Groupe II.*

La méthylmorphine (codéine), l'éthylmorphine et leurs sels.

*The President of the Czechoslovak Republic:*

M. Zdeněk FIERLINGER, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.

Plenipotentiaries—Continued.

*The President of the Republic of Uruguay:*

Dr. Alfredo DE CASTRO, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

*The President of the United States of Venezuela:*

Dr. L. G. CHACÍN-ITRIAGO, Chargé d'Affaires at Berne, Member of the Medical Academy of Caracas.

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

## CHAPTER I.—DEFINITIONS.

### *Article 1.*

Except where otherwise expressly indicated, the following definitions shall apply throughout this Convention:

1. The term "Geneva Convention" shall denote the International Opium Convention signed at Geneva on February 19th, 1925. "Geneva Convention."
2. The term "the drugs" shall denote the following drugs whether partly manufactured or completely refined: "The drugs."

#### *Group I.*

##### *Sub-Group (a):*

- (i) Morphine and its salts, including preparations made directly from raw or medicinal opium and containing more than 20 per cent of morphine;
- (ii) Diacetylmorphine and the other esters of morphine and their salts;
- (iii) Cocaine and its salts, including preparations made direct from the coca leaf and containing more than 0.1 per cent of cocaine, all the esters of ecgonine and their salts;
- (iv) Dihydrohydroxycodeinone (of which the substance registered under the name of eucodal is a salt); dihydrocodeinone (of which the substance registered under the name of dicodide is a salt), dihydromorphinone (of which the substance registered under the name of dilaudide is a salt), acetylhydrocodeinone or acetyldemethylhydrothebaine (of which the substance registered under the name of acedicone is a salt); dihydromorphine (of which the substance registered under the name of paramorfan is a salt), their esters and the salts of any of these substances and of their esters, morphine-N-oxide (registered trade name genomorphine), also the morphine-N-oxide derivatives, and the other pentavalent nitrogen morphine derivatives.

##### *Sub-Group (b):*

Ecgonine, thebaine and their salts, benzylmorphine and the other ethers of morphine and their salts, except methylmorphine (codeine), ethylmorphine and their salts.

#### *Group II.*

Methylmorphine (codeine), ethylmorphine and their salts.

Les substances mentionnées dans le présent paragraphe seront considérées comme "drogues", même lorsqu'elles seront produites par voie synthétique.

Les termes "Groupe I" et "Groupe II" désignent respectivement les groupes I et II du présent paragraphe.

3. Par "opium brut", on entend le suc coagulé spontanément, obtenu des capsules du pavot somnifère (*Papaver somniferum L.*) et n'ayant subi que les manipulations nécessaires à son empaquetage et à son transport, quelle que soit sa teneur en morphine.

Par "opium médicinal", on entend l'opium qui a subi les préparations nécessaires pour son adaptation à l'usage médical, soit en poudre ou granulé, soit en forme de mélange avec des matières neutres, selon les exigences de la pharmacopée.

Par "morphine", on entend le principal alcaloïde de l'opium ayant la formule chimique  $C_{17}H_{19}O_3N$ .

Par "diacétylmorphine", on entend la diacétylmorphine (diamorphine, héroïne) ayant la formule  $C_{21}H_{23}O_5N$  ( $C_{17}H_{17}(C_2H_3O)_2O_3N$ ).

Par "feuille de coca", on entend la feuille de l'*Erythroxylon Coca Lamarck*, de l'*Erythroxylon novo-granatense* (Morris) *Hieronymus* et de leurs variétés, de la famille des Erythroxylacées, et la feuille d'autres espèces de ce genre dont la cocaïne pourrait être extraite directement ou obtenue par transformation chimique.

Par "cocaïne", on entend l'éther méthylique de la benzoylecgonine lévogyre ([ $\alpha$ ] D  $20^\circ = - 16^\circ 4$ ) en solution chloroformique à 20% ayant la formule  $C_{17}H_{21}O_4N$ .

Par "ecgonine", on entend l'ecgonine lévogyre ([ $\alpha$ ] D  $20^\circ = - 45^\circ 6$  en solution aqueuse à 5%) ayant la formule  $C_9H_{15}O_3N \cdot H_2O$ , et tous les dérivés de cette ecgonine qui pourraient servir industriellement à sa régénération.

Les "drogues" ci-après sont définies par leurs formules chimiques comme suit:

Dihydrooxycodéinone . . . . .	$C_{18}H_{21}O_4N$
Dihydrocodéinone. . . . .	$C_{18}H_{21}O_3N$
Dihydromorphinone. . . . .	$C_{17}H_{19}O_3N$
Acétylodihydrocodéinone ou Acétylodéméthylodihydro-	$C_{20}H_{23}O_4N$ $(C_{18}H_{20}(C_2H_3O)O_3N)$
thébaïne.	
Dihydromorphine. . . . .	$C_{17}H_{21}O_3N$
N-oxymorphine. . . . .	$C_{17}H_{19}O_4N$
Thébaïne . . . . .	$C_{19}H_{21}O_3N$
Méthylmorphine (codéine). . .	$C_{18}H_{21}O_3N$ $(C_{17}H_{18}(CH_3O)O_2N)$
Ethylmorphine . . . . .	$C_{19}H_{23}O_3N$ $(C_{17}H_{18}(C_2H_5O)O_2N)$
Benzylmorphine . . . . .	$C_{24}H_{25}O_3N$ $(C_{17}H_{18}(C_7H_7O)O_2N)$

4. Par "fabrication", on entend aussi le raffinage.

Par "transformation", on entend la transformation d'une "drogue" par voie chimique, excepté la transformation des alcaloïdes en leurs sels.

Lorsqu'une des "drogues" est transformée en une autre "drogue", cette opération est considérée comme une transformation par rapport à la première "drogue" et comme une fabrication par rapport à la deuxième.

The substances mentioned in this paragraph shall be considered <sup>Synthetic substances.</sup> as drugs even if produced by a synthetic process.

The terms "Group I" and "Group II" shall respectively denote "Group I" and Groups I and II of this paragraph.

3. "Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum L.*, which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

"Medical opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials.

"Morphine" means the principal alkaloid of opium having the chemical formula  $C_{17}H_{19}O_3N$ .

"Diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the formula  $C_{21}H_{23}O_5N$  ( $C_{17}H_{17}(C_2H_3O)_2O_3N$ ).

"Coca leaf" means the leaf of the *Erythroxylon Coca* Lamarck and the *Erythroxylon novogranatense* (Morris) *Hieronymus* and their varieties, belonging to the family of Erythroxylaceæ and the leaf of other species of this genus from which it may be found possible to extract cocaine, either directly or by chemical transformation.

"Cocaine" means methyl-benzoyl laevo-ecgonine ([ $\alpha$ ] D  $20^\circ = -16^\circ 4$ ) in 20 per cent solution of chloroform of which the formula is  $C_{17}H_{21}O_4N$ .

"Ecgonine" means laevo-ecgonine ([ $\alpha$ ] D  $20^\circ = -45^\circ 6$  in 5 per cent solution of water), of which the formula is  $C_9H_{15}O_3N \cdot H_2O$ , and all the derivatives of laevo-ecgonine which might serve industrially for its recovery.

The following drugs are defined by their chemical formulæ as set out below:

Dihydrohydroxycodeinone . . . . .	$C_{18}H_{21}O_4N$
Dihydrocodeinone . . . . .	$C_{18}H_{21}O_3N$
Dihydromorphinone . . . . .	$C_{17}H_{19}O_3N$
Acetyl dihydrocodeinone or Acetyl demethyl dihydro-	$C_{20}H_{23}O_4N$ ( $C_{18}H_{20}(C_2H_3O)O_3N$ )
thebaine. . . . .	
Dihydromorphine . . . . .	$C_{17}H_{21}O_3N$
Morphine-N-Oxide . . . . .	$C_{17}H_{19}O_4N$
Thebaine . . . . .	$C_{19}H_{21}O_3N$
Methylmorphine (codeine) . . . . .	$C_{18}H_{21}O_3N$ ( $C_{17}H_{18}(CH_3O)O_2N$ )
Ethylmorphine . . . . .	$C_{19}H_{23}O_3N$ ( $C_{17}H_{18}(C_2H_5O)O_2N$ )
Benzylmorphine . . . . .	$C_{24}H_{25}O_3N$ ( $C_{17}H_{18}(C_7H_7O)O_2N$ )

4. The term "manufacture" shall include any process of refining.

The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts.

When one of the drugs is converted into another of the drugs this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other.

Par "évaluations", on entend les évaluations fournies conformément aux articles 2 à 5 de la présente Convention et, sauf indication contraire du contexte, y compris les évaluations supplémentaires.

Le terme "stocks de réserve", dans le cas d'une "drogue" quelconque, désigne les stocks requis

- i) Pour la consommation intérieure normale du pays ou du territoire où ils sont maintenus,
- ii) Pour la transformation dans ce pays ou dans ce territoire, et
- iii) Pour l'exportation.

Le terme "stocks d'Etat", dans le cas d'une "drogue" quelconque, indique les stocks maintenus sous le contrôle de l'Etat, pour l'usage de l'Etat et pour faire face à des circonstances exceptionnelles.

Sauf indication contraire du contexte, le mot "exportation" est considéré comme comprenant la réexportation.

## CHAPITRE II.—EVALUATIONS.

### *Article 2.*

1. Les Hautes Parties contractantes fourniront annuellement au Comité central permanent, institué par le Chapitre VI de la Convention de Genève, pour chaque drogue et pour chacun de leurs territoires auxquels s'applique la présente Convention, des évaluations conformes aux dispositions de l'article 5 de la présente Convention.

2. Lorsqu'une Haute Partie contractante n'aura pas fourni d'évaluations pour l'un quelconque de ses territoires auxquels la présente Convention s'applique, à la date prévue à l'article 5, paragraphe 4, ladite évaluation sera établie dans la mesure du possible par l'organe de contrôle prévu à l'article 5, paragraphe 6.

3. Le Comité central permanent demandera pour les pays ou territoires auxquels la présente Convention ne s'applique pas, des évaluations établies conformément aux stipulations de la présente Convention. Si, pour l'un quelconque de ces pays ou territoires, il n'est pas fourni d'évaluation, l'Organe de contrôle en établira lui-même dans la mesure du possible.

### *Article 3.*

Toute Haute Partie contractante pourra fournir, si c'est nécessaire, pour une année quelconque, et pour l'un quelconque de ses territoires, des évaluations supplémentaires pour ce territoire pour ladite année, en exposant les raisons qui les justifient.

### *Article 4.*

1. Toute évaluation fournie conformément aux articles précédents se rapportant à l'une quelconque des "drogues" requises pour la consommation intérieure du pays ou du territoire pour lequel elle est établie, sera fondée uniquement sur les besoins médicaux et scientifiques de ce pays ou de ce territoire.

2. Les Hautes Parties contractantes pourront, en dehors des stocks de réserve, constituer et maintenir des stocks d'Etat.

The term "estimates" shall denote estimates furnished in accordance with Articles 2 to 5 of this Convention and, unless the context otherwise requires, shall include supplementary estimates.

"Estimates."

The term "reserve stocks" in relation to any of the drugs shall denote the stocks required

"Reserve stocks."

- (i) For the normal domestic consumption of the country or territory in which they are maintained,
- (ii) For conversion in that country or territory, and
- (iii) For export.

The term "Government stocks" in relation to any of the drugs shall denote stocks kept under Government control for the use of the Government and to meet exceptional circumstances.

"Government stocks."

Except where the context otherwise requires, the term "export" shall be deemed to include re-export.

## CHAPTER II.—ESTIMATES.

Estimates.

### *Article 2.*

1. Each High Contracting Party shall furnish annually, for each of the drugs in respect of each of his territories to which this Convention applies, to the Permanent Central Board, constituted under Chapter VI of the Geneva Convention, estimates in accordance with the provisions of Article 5 of this Convention.

To be furnished annually.

2. In the event of any High Contracting Party failing to furnish, by the date specified in paragraph 4 of Article 5, an estimate in respect of any of his territories to which this Convention applies, an estimate will, so far as possible, be furnished by the Supervisory Body specified in paragraph 6 of Article 5.

Party failing to furnish.

3. The Permanent Central Board shall request estimates for countries or territories to which this Convention does not apply to be made in accordance with the provisions of this Convention. If for any such country estimates are not furnished, the Supervisory Body shall itself, as far as possible, make the estimate.

Nonsignatories.

### *Article 3.*

Any High Contracting Party may, if necessary, in any year furnish in respect of any of his territories supplementary estimates for that territory for that year with an explanation of the circumstances which necessitate such supplementary estimates.

Supplementaries.

### *Article 4.*

1. Every estimate furnished in accordance with the preceding Articles, so far as it relates to any of the drugs required for domestic consumption in the country or territory in respect of which it is made, shall be based solely on the medical and scientific requirements of that country or territory.

Basis.

2. The High Contracting Parties may, in addition to reserve stocks, create and maintain Government stocks.

Government stocks.

*Article 5.*

1. Les évaluations prévues aux articles 2 à 4 de la présente Convention devront être établies selon le modèle qui sera prescrit de temps à autre par le Comité central permanent et communiqué par les soins de ce Comité à tous les Membres de la Société des Nations et aux Etats non membres mentionnés à l'article 27.

2. Pour chacune des "drogues", soit sous la forme d'alcaloïdes ou sels ou de préparations d'alcaloïdes ou sels, pour chaque année et pour chaque pays ou territoire, les évaluations devront indiquer:

a) La quantité nécessaire pour être utilisée comme telle pour les besoins médicaux et scientifiques, y compris la quantité requise pour la fabrication des préparations pour l'exportation desquelles les autorisations d'exportation ne sont pas requises, que ces préparations soient destinées à la consommation intérieure ou à l'exportation;

b) La quantité nécessaire aux fins de transformation, tant pour la consommation intérieure que pour l'exportation;

c) Les stocks de réserve que l'on désire maintenir;

d) La quantité requise pour l'établissement et le maintien des stocks d'Etat, ainsi qu'il est prévu à l'article 4.

Par total des évaluations pour chaque pays ou territoire, on entend la somme des quantités spécifiées sous les alinéas a) et b) du présent paragraphe augmentée des quantités qui peuvent être nécessaires pour porter les stocks des réserves et les stocks d'Etat au niveau désiré, ou déduction faite de toute quantité dont ces stocks pourraient dépasser ce niveau. Il ne sera tenu compte, toutefois, de ces augmentations ou de ces diminutions que pour autant que les Hautes Parties contractantes intéressées auront fait parvenir en temps utile au Comité central permanent les évaluations nécessaires.

3. Chaque évaluation sera accompagnée d'un exposé de la méthode employée pour calculer les différentes quantités qui y seront inscrites. Si les quantités calculées comportent une marge tenant compte des fluctuations possibles de la demande, l'évaluation devra préciser le montant de la marge ainsi prévue. Il est entendu que, dans le cas de l'une quelconque des "drogues" qui sont ou peuvent être comprises dans le groupe II, il peut être nécessaire de laisser une marge plus large que pour les autres "drogues".

4. Toutes les évaluations devront parvenir au Comité central permanent au plus tard le 1<sup>er</sup> août de l'année qui précédera celle pour laquelle l'évaluation aura été établie.

5. Les évaluations supplémentaires devront être adressées au Comité central permanent dès leur établissement.

6. Les évaluations seront examinées par un Organe de contrôle. La Commission consultative du trafic de l'opium et autres drogues nuisibles de la Société des Nations, le Comité central permanent, le Comité d'hygiène de la Société des Nations et l'Office international d'Hygiène publique auront le droit de désigner chacun un membre de cet Organe. Le Secrétariat de l'Organe de contrôle sera assuré par le Secrétaire général de la Société des Nations en s'assurant la collaboration étroite du Comité central.

*Article 5.*

1. Each estimate provided for in Articles 2 to 4 of this Convention shall be in the form from time to time prescribed by the Permanent Central Board and communicated by the Board to all the Members of the League of Nations and to the non-member States mentioned in Article 27.

Prescribed form, etc.

2. Every estimate shall show for each country or territory for each year in respect of each of the drugs whether in the form of alkaloid or salts or of preparations of the alkaloids or salts:

Components to be specified.

(a) The quantity necessary for use as such for medical and scientific needs, including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity necessary for the purpose of conversion, whether for domestic consumption or for export;

(c) The amount of the reserve stocks which it is desired to maintain;

(d) The quantity required for the establishment and maintenance of any Government stocks as provided for in Article 4.

The total of the estimates for each country or territory shall consist of the sum of the amounts specified under (a) and (b) of this paragraph with the addition of any amounts which may be necessary to bring the reserve stocks and the Government stocks up to the desired level, or after deduction of any amounts by which those stocks may exceed that level. These additions or deductions shall, however, not be taken into account except in so far as the High Contracting Parties concerned shall have forwarded in due course the necessary estimates to the Permanent Central Board.

3. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been calculated. If these amounts are calculated so as to include a margin allowing for possible fluctuations in demand, the estimates must indicate the extent of the margin so included. It is understood that in the case of any of the drugs which are or may be included in Group II, a wider margin may be necessary than in the case of the other drugs.

Method of calculation.

4. Every estimate shall reach the Permanent Central Board not later than August 1st in the year preceding that in respect of which the estimate is made.

Time for submitting estimate.

5. Supplementary estimates shall be sent to the Permanent Central Board immediately on their completion.

Supplementary estimates.

6. The estimates will be examined by a Supervisory Body. The Advisory Committee on the Traffic in Opium and other Dangerous Drugs of the League of Nations, the Permanent Central Board, the Health Committee of the League of Nations and the Office international d'Hygiène publique shall each have the right to appoint one member of this Body. The Secretariat of the Supervisory Body shall be provided by the Secretary-General of the League of Nations, who will ensure close collaboration with the Permanent Central Board.

Examination, etc.

Pour tout pays ou territoire pour lequel une évaluation aura été fournie, l'Organe de contrôle pourra demander, sauf en ce qui concerne les besoins de l'Etat, toute indication ou précision supplémentaire qu'il jugera nécessaire, soit pour compléter l'évaluation; soit pour expliquer les indications qui y figurent; à la suite des renseignements ainsi recueillis, il pourra modifier les évaluations avec le consentement de l'Etat intéressé. Dans le cas de l'une quelconque des "drogues" qui sont ou peuvent être comprises dans le groupe II, une déclaration sommaire sera suffisante.

7. Après avoir examiné, conformément au paragraphe 6 ci-dessus, les évaluations fournies et après avoir fixé, conformément à l'article 2, les évaluations pour les pays ou territoires pour lesquels il n'en aura pas été fourni, l'Organe de contrôle adressera, par l'entremise du Secrétaire général et au plus tard le 1<sup>er</sup> novembre de chaque année, à tous les Membres de la Société des Nations et aux Etats non membres mentionnés à l'article 27 un état contenant les évaluations pour chaque pays ou territoire; cet état sera accompagné, pour autant que l'Organe de contrôle le jugera nécessaire, d'un exposé des explications fournies ou demandées, conformément au paragraphe 6 ci-dessus, et de toutes observations que l'Organe de contrôle tiendrait à présenter relativement à toute évaluation, explication ou demande d'explication.

8. Toute évaluation supplémentaire communiquée au Comité central permanent au cours de l'année doit être traitée sans délai par l'Organe de contrôle suivant la procédure spécifiée aux paragraphes 6 et 7 ci-dessus.

### CHAPITRE III.—LIMITATION DE LA FABRICATION.

#### *Article 6.*

1. Il ne sera fabriqué dans aucun pays ou territoire, au cours d'une année quelconque, de quantité d'une "drogue" quelconque supérieure au total des quantités suivantes:

a) La quantité requise, dans les limites des évaluations pour ce pays ou ce territoire, pour cette année, pour être utilisée comme telle pour ses besoins médicaux et scientifiques, y compris la quantité requise pour la fabrication des préparations pour l'exportation desquelles les autorisations d'exportation ne sont pas requises, que ces préparations soient destinées à la consommation intérieure ou à l'exportation;

b) La quantité requise dans les limites des évaluations pour ce pays ou ce territoire, pour cette année, aux fins de transformation, tant pour la consommation intérieure que pour l'exportation;

c) La quantité qui pourra être requise par ce pays ou ce territoire, pour l'exécution, au cours de l'année, des commandes destinées à l'exportation et effectuées conformément aux dispositions de la présente Convention;

The Supervisory Body may require any further information or details, except as regards requirements for Government purposes, which it may consider necessary, in respect of any country or territory on behalf of which an estimate has been furnished in order to make the estimate complete or to explain any statement made therein, and may, with the consent of the Government concerned, amend any estimate in accordance with any information or details so obtained. It is understood that in the case of any of the drugs which are or may be included in Group II a summary statement shall be sufficient.

7. After examination by the Supervisory Body as provided in paragraph 6 above of the estimates furnished, and after the determination by that Body as provided in Article 2 of the estimates for each country or territory on behalf of which no estimates have been furnished, the Supervisory Body shall forward, not later than November 1st in each year, through the intermediary of the Secretary-General, to all the Members of the League of Nations and non-member States referred to in Article 27, a statement containing the estimates for each country or territory, and, so far as the Supervisory Body may consider necessary, an account of any explanations given or required in accordance with paragraph 6 above, and any observations which the Supervisory Body may desire to make in respect of any such estimate or explanation, or request for an explanation.

8. Every supplementary estimate sent to the Permanent Central Board in the course of the year shall be dealt with without delay by the Supervisory Body in accordance with the procedure specified in paragraphs 6 and 7 above.

*Examination and determination.*

*Supplementary estimates.*

### CHAPTER III.—LIMITATION OF MANUFACTURE.

#### *Article 6.*

1. There shall not be manufactured in any country or territory in any one year a quantity of any of the drugs greater than the total of the following quantities:

*Limitation of manufacture.*

(a) The quantity required within the limits of the estimates for that country or territory for that year for use as such for its medical and scientific needs including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity required within the limits of the estimates for that country or territory for that year for conversion, whether for domestic consumption or for export;

(c) Such quantity as may be required by that country or territory for the execution during the year of orders for export in accordance with the provisions of this Convention;

- d) La quantité éventuellement requise par ce pays ou territoire pour maintenir les stocks de réserve au niveau spécifié dans les évaluations de l'année envisagée;
- e) La quantité éventuellement requise pour maintenir les stocks d'Etat au niveau spécifié dans les évaluations de l'année envisagée.

2. Il est entendu que si, à la fin d'une année, une Haute Partie contractante constate que la quantité fabriquée dépasse le total des quantités spécifiées ci-dessus, compte tenu des déductions prévues à l'article 7, premier alinéa, cet excédent sera déduit de la quantité qui doit être fabriquée au cours de l'année suivante. En transmettant leurs statistiques annuelles au Comité central permanent, les Hautes Parties contractantes donneront les raisons de ce dépassement.

#### *Article 7.*

Pour chaque "drogue", il sera déduit de la quantité dont la fabrication est autorisée, conformément à l'article 6, au cours d'une année quelconque, dans un pays ou territoire quelconque:

- i) Toute quantité de la "drogue" importée, y compris ce qui aurait été retourné et déduction faite de ce qui aurait été réexporté;
- ii) Toute quantité de ladite "drogue" saisie et utilisée comme telle pour la consommation intérieure ou la transformation.

S'il est impossible d'effectuer pendant l'exercice en cours l'une des déductions susmentionnées, toute quantité demeurant en excédent à la fin de l'exercice sera déduite des évaluations de l'année suivante.

#### *Article 8.*

La quantité d'une "drogue" quelconque, importée ou fabriquée dans un pays ou territoire aux fins de transformation, conformément aux évaluations de ce pays ou de ce territoire, devra être utilisée, si possible, en totalité à cet effet pendant la période visée par l'évaluation.

Toutefois, s'il est impossible d'utiliser ainsi la quantité totale dans la période en question, la fraction demeurant inutilisée à la fin de l'année sera déduite des évaluations de l'année suivante pour ce pays ou ce territoire.

#### *Article 9.*

Si, au moment où toutes les dispositions de la présente Convention deviendront applicables, les stocks d'une "drogue" existant à ce moment dans un pays ou territoire dépassent le montant des stocks de réserve de cette "drogue" que ce pays ou territoire désire maintenir, conformément à ses évaluations, cet excédent sera déduit de la quantité qui, normalement, pourrait être fabriquée ou importée, selon le cas, au cours de l'année, conformément aux dispositions de la présente Convention.

Si cette procédure n'est pas appliquée, le gouvernement prendra en charge les stocks en excédent existant au moment où toutes les

(d) The quantity, if any, required by that country or territory for the purpose of maintaining the reserve stocks at the level specified in the estimates for that year;

(e) The quantity, if any, required for the purpose of maintaining the Government stocks at the level specified in the estimates for that year.

2. It is understood that, if at the end of any year, any High Contracting Party finds that the amount manufactured exceeds the total of the amounts specified above, less any deductions made under Article 7, paragraph 1, such excess shall be deducted from the amount to be manufactured during the following year. In forwarding their annual statistics to the Permanent Central Board, the High Contracting Parties shall give the reasons for any such excess.

Excess remaining to be deducted.

#### *Article 7.*

There shall be deducted from the total quantity of each drug permitted under Article 6 to be manufactured in any country or territory during any one year:

Deductions.

(i) Any amounts of that drug imported including any returned deliveries of the drug, less quantities re-exported.

(ii) Any amounts of the drug seized and utilised as such for domestic consumption or for conversion.

If it should be impossible to make any of the above deductions during the course of the current year, any amounts remaining in excess at the end of the year shall be deducted from the estimates for the following year.

#### *Article 8.*

The full amount of any of the drugs imported into or manufactured in any country or territory for the purpose of conversion in accordance with the estimates for that country or territory shall, if possible, be utilised for that purpose within the period for which the estimate applies.

Imports for conversion purposes.

In the event, however, of it being impossible to utilise the full amount for that purpose within the period in question, the portion remaining unused at the end of the year shall be deducted from the estimates for that country or territory for the following year.

#### *Article 9.*

If at the moment when all the provisions of the Convention shall have come into force, the then existing stocks of any of the drugs in any country or territory exceeds the amount of the reserve stocks of that drug, which, according to the estimates for that country or territory, it is desired to maintain, such excess shall be deducted from the quantity which, during the year, could ordinarily be imported or manufactured as the case may be under the provisions of this Convention.

Restriction on existing stock.

Alternatively, the excess stocks existing at the moment when all the provisions of the Convention shall have come into force shall be

dispositions de la présente Convention deviendront applicables. Le gouvernement n'en délivrera, à certains intervalles, que les quantités qui peuvent être délivrées, conformément à la Convention. Toutes les quantités ainsi délivrées au cours de l'année seront déduites de la quantité totale destinée à être fabriquée ou importée, selon le cas, au cours de cette même année.

#### CHAPITRE IV.—INTERDICTIONS ET RESTRICTIONS.

##### *Article 10.*

1. Les Hautes Parties contractantes interdiront l'exportation de leurs territoires de la diacétylmorphine et de ses sels, ainsi que des préparations contenant de la diacétylmorphine ou ses sels.

2. Toutefois, sur demande émanant du gouvernement d'un pays où la diacétylmorphine n'est pas fabriquée, toute Haute Partie contractante pourra autoriser l'exportation à destination de ce pays des quantités de diacétylmorphine, de ses sels et des préparations contenant de la diacétylmorphine ou ses sels, qui sont nécessaires pour les besoins médicaux et scientifiques de ce pays, à la condition que cette demande soit accompagnée d'un certificat d'importation et soit adressée à l'administration officielle indiquée dans le certificat.

3. Toutes les quantités ainsi importées seront distribuées par le gouvernement du pays importateur et sous sa responsabilité.

##### *Article 11.*

1. Le commerce et la fabrication commercial de tout produit dérivé de l'un des alcaloïdes phénanthrènes de l'opium ou des alcaloïdes ecgoniniques de la feuille de coca, qui ne sera pas utilisé à la date de ce jour pour des besoins médicaux ou scientifiques, ne pourront être permis dans un pays ou territoire quelconque que si la valeur médicale ou scientifique de ce produit a été constatée d'une manière jugée probante par le gouvernement intéressé.

Dans ce cas, à moins que le gouvernement ne décide que le produit en question n'est pas susceptible d'engendrer la toxicomanie ou d'être converti en un produit susceptible d'engendrer la toxicomanie, les quantités dont la fabrication est autorisée ne devront pas, dans l'attente des décisions mentionnées ci-après, dépasser le total des besoins intérieurs du pays ou du territoire pour des fins médicales et scientifiques et la quantité nécessaire pour satisfaire aux commandes d'exportation, et les dispositions de la présente Convention seront appliquées audit produit.

2. La Haute Partie contractante qui autorisera le commerce ou la fabrication commerciale d'un de ces produits en avisera immédiatement le Secrétaire général de la Société des Nations, qui communiquera cette notification aux autres Hautes Parties contractantes et au Comité d'hygiène de la Société.

3. Le Comité d'hygiène, après avoir soumis la question au Comité permanent de l'Office international d'hygiène publique, décidera si le produit dont il s'agit peut engendrer la toxicomanie (et doit être assimilé de ce fait aux "drogues" mentionnées dans le sous-groupe a)

taken possession of by the Government and released from time to time in such quantities only as may be in conformity with the present Convention. Any quantities so released during any year shall be deducted from the total amount to be manufactured or imported as the case may be during that year.

## CHAPTER IV.—PROHIBITIONS AND RESTRICTIONS.

Prohibitions and re-strictions.

*Article 10.*

1. The High Contracting Parties shall prohibit the export from their territories of diacetylmorphine, its salts, and preparations containing diacetylmorphine, or its salts. Exports of diacetyl-morphine.
2. Nevertheless, on the receipt of a request from the Government of any country in which diacetylmorphine is not manufactured, any High Contracting Party may authorise the export to that country of such quantities of diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts, as are necessary for the medical and scientific needs of that country, provided that the request is accompanied by an import certificate and is consigned to the Government Department indicated in the certificate.
3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country. Imports.

*Article 11.*

1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value. Regulation of traffic, etc., in.

In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders and the provisions of this Convention shall apply.

2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the League of Nations, who shall advise the other High Contracting Parties and the Health Committee of the League.

3. The Health Committee will thereupon, after consulting the Permanent Committee of the Office international d'Hygiène publique, decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-

du groupe I), ou s'il peut être transformé en une de ces mêmes drogues (et être, de ce fait, assimilé aux "drogues" mentionnées dans le sous-groupe b) du groupe I ou dans le groupe II).

4. Si le Comité d'hygiène décide que, sans être une "drogue" susceptible d'engendrer la toxicomanie, le produit dont il s'agit peut être transformé en une telle "drogue", la question de savoir si ladite "drogue" rentre dans le sous-groupe b) du groupe I ou dans le groupe II sera soumise pour décision à un Comité de trois experts qualifiés pour en examiner les aspects scientifiques et techniques. Deux de ces experts seront désignés respectivement par le gouvernement intéressé et par la Commission consultative de l'opium; le troisième sera désigné par les deux précités.

5. Toute décision prise conformément aux deux paragraphes précédents sera portée à la connaissance du Secrétaire général de la Société des Nations, qui la communiquera à tous les Membres de la Société et aux Etats non membres mentionnés à l'article 27.

6. S'il résulte de ces décisions que le produit en question peut engendrer la toxicomanie ou peut être transformé en une "drogue" susceptible de l'engendrer, les Hautes Parties contractantes, dès la réception de la communication du Secrétaire général, soumettront ladite "drogue" au régime prévu par la présente Convention, suivant qu'elle sera comprise dans le groupe I ou dans le groupe II.

7. Sur la demande de toute Haute Partie contractante adressée au Secrétaire général, toute décision de cette nature pourra être revisée à la lumière de l'expérience acquise et conformément à la procédure indiquée ci-dessus.

#### *Article 12.*

1. L'importation ou l'exportation d'une "drogue" quelconque, en provenance ou à destination du territoire d'une Haute Partie contractante, ne pourront être effectuées que conformément aux dispositions de la présente Convention.

2. Les importations d'une "drogue" quelconque, dans un pays ou territoire quelconque et pour une année quelconque, ne pourront excéder le total des évaluations définies à l'article 5 et de la quantité exportée de ce pays ou territoire pendant la même année, déduction faite de la quantité fabriquée dans le pays ou territoire pendant la même année.

#### CHAPITRE V.—CONTRÔLE.

#### *Article 13.*

1. a) Les Hautes Parties contractantes appliqueront à toutes les "drogues" du groupe I les dispositions de la Convention de Genève, dont celle-ci prévoit l'application aux substances spécifiées à son article 4 (ou des dispositions équivalentes). Les Hautes Parties contractantes appliqueront aussi ces dispositions aux préparations de la morphine et cocaïne visées à cet article 4 et à toutes les préparations des autres "drogues" du groupe I, sauf les préparations qui peuvent être soustraites au régime de la Convention de Genève, conformément à l'article 8 de cette Convention.

group (a) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (b) of Group I or in Group II).

4. In the event of the Health Committee deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (b) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Opium Advisory Committee of the League, and the third by the two members so selected.

5. Any decisions arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the League of Nations, who will communicate it to all the Members of the League and to the non-member States mentioned in Article 27.

6. If the decisions are to the effect that the product in question is capable of producing addiction or is convertible into a drug capable of producing addiction, the High Contracting Parties will, upon receipt of the communication from the Secretary-General, apply to the drug the appropriate régime laid down in the present Convention according as to whether it falls under Group I or under Group II.

7. Any such decisions may be revised, in accordance with the foregoing procedure, in the light of further experience, on an application addressed by any High Contracting Party to the Secretary-General.

#### *Article 12.*

1. No import of any of the drugs into the territories of any High Contracting Party or export from those territories shall take place except in accordance with the provisions of this Convention.

Import and export re-  
strictions.

2. The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.

#### CHAPTER V.—CONTROL.

Control.

#### *Article 13.*

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances specified in its fourth Article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth Article.

Provisions of Geneva  
Convention to apply.

b) Les Hautes Parties contractantes appliqueront aux solutions ou dilutions de morphine ou de cocaïne, ou de leurs sels, dans une substance inerte, liquide ou solide, et contenant 0,2% ou moins de morphine ou 0,1% ou moins de cocaïne, le même traitement qu'aux préparations contenant un pourcentage plus élevé.

2. Les Hautes Parties contractantes appliqueront aux "drogues" qui sont ou qui peuvent être comprises dans le groupe II les dispositions suivantes de la Convention de Genève ou des dispositions équivalentes:

a) Les dispositions des articles 6 et 7, en tant qu'elles s'appliquent à la fabrication, à l'importation, à l'exportation et au commerce de gros de ces "drogues";

b) Les dispositions du chapitre V, sauf en ce qui concerne les compositions qui contiennent l'une de ces "drogues" et qui se prêtent à une application thérapeutique normale;

c) Les dispositions des alinéas 1b), c) et e) et de l'alinéa 2 de l'article 22, étant entendu:

i) Que les statistiques des importations et des exportations pourront être envoyées annuellement et non trimestriellement, et

ii) Que l'alinéa 1b) et l'alinéa 2 de l'article 22 ne seront pas applicables aux préparations qui contiennent ces "drogues".

#### *Article 14.*

1. Les gouvernements qui auront délivré une autorisation d'exportation, à destination de pays ou de territoires auxquels ne s'appliquent ni la présente Convention ni la Convention de Genève, pour une "drogue" qui est ou pourra être comprise dans le groupe I en avisent immédiatement le Comité central permanent. Il est entendu que si les demandes d'exportation s'élèvent à 5 kilogrammes ou davantage, l'autorisation ne sera pas délivrée avant que le gouvernement soit assuré auprès du Comité central permanent que l'exportation ne provoquera pas un dépassement des évaluations pour le pays ou territoire importateur. Si le Comité central permanent fait savoir qu'il y aura un dépassement, le gouvernement n'autorisera pas l'exportation de la quantité qui provoquerait ce dépassement.

2. S'il ressort des relevés des importations et des exportations adressés au Comité central permanent ou des notifications faites à ce Comité, conformément au paragraphe précédent, que la quantité exportée ou dont l'exportation a été autorisée à destination d'un pays ou territoire quelconque dépasse le total des évaluations définies à l'article 5 pour ce pays ou ce territoire, pour cette année, augmenté de ses exportations constatées, le Comité en avisera immédiatement toutes les Hautes Parties contractantes. Celles-ci ne pourront plus autoriser, pendant l'année en question, aucune nouvelle exportation à destination dudit pays ou territoire, sauf

i) Dans le cas où une évaluation supplémentaire sera fournie, en ce qui concerne à la fois toute quantité importée en excédent et la quantité supplémentaire requise, ou

ii) Dans les cas exceptionnels où l'exportation est, de l'avis du gouvernement du pays exportateur, essentielle aux intérêts de l'humanité ou au traitement des malades.

(b) The High Contracting Parties shall treat solutions or dilutions of morphine or cocaine or their salts in an inert substance, liquid or solid, which contain 0.2 per cent or less of morphine or 0.1 per cent or less of cocaine in the same way as preparations containing more than these percentages.

2. The High Contracting Parties shall apply to the drugs which are or may be included in Group II the following provisions of the Geneva Convention (or provisions in conformity therewith):

(a) The provisions of Articles 6 and 7 in so far as they relate to the manufacture, import, export and wholesale trade in those drugs;

(b) The provisions of Chapter V, except as regards compounds containing any of these drugs which are adapted to a normal therapeutic use;

(c) The provisions of paragraphs 1 (b), (c) and (e) and paragraph 2 of Article 22, provided:

(i) That the statistics of import and export may be sent annually instead of quarterly, and

(ii) That paragraph 1 (b) and paragraph 2 of Article 22 shall not apply to preparations containing any of these drugs.

#### *Article 14.*

1. Any Government which has issued an authorisation for the export of any of the drugs which are or may be included in Group I to any country or territory to which neither this Convention nor the Geneva Convention applies shall immediately notify the Permanent Central Board of the issue of the authorisation; provided that, if the request for export amounts to 5 kilogrammes or more, the authorisation shall not be issued until the Government has ascertained from the Permanent Central Board that the export will not cause the estimates for the importing country or territory to be exceeded. If the Permanent Central Board sends a notification that such an excess would be caused, the Government will not authorise the export of any amount which would have that effect.

License to export to  
nonparticipating coun-  
tries.

2. If it appears from the import and export returns made to the Permanent Central Board or from the notifications made to the Board in pursuance of the preceding paragraph that the quantity exported or authorised to be exported to any country or territory exceeds the total of the estimates for that country or territory as defined in Article 5, with the addition of the amounts shown to have been exported, the Board shall immediately notify the fact to all the High Contracting Parties, who will not, during the currency of the year in question, authorise any new exports to that country except:

(i) In the event of a supplementary estimate being furnished for that country in respect both of any quantity over-imported and of the additional quantity required; or

(ii) In exceptional cases where the export in the opinion of the Government of the exporting country is essential in the interests of humanity or for the treatment of the sick.

3. Le Comité central permanent préparera chaque année un état indiquant pour chaque pays ou territoire et pour l'année précédente:

- a) Les évaluations de chaque "drogue";
- b) La quantité de chaque "drogue" consommée;
- c) La quantité de chaque "drogue" fabriquée;
- d) La quantité de chaque "drogue" transformée;
- e) La quantité de chaque "drogue" importée;
- f) La quantité de chaque "drogue" exportée;
- g) La quantité de chaque "drogue" employée à la confection des préparations pour l'exportation desquelles les autorisations d'exportation ne sont pas requises.

S'il résulte dudit état que l'une des Hautes Parties contractantes a ou peut avoir manqué aux obligations prévues par la présente Convention, le Comité sera en droit de lui demander des explications par l'entremise du Secrétaire général de la Société des Nations, et la procédure prévue par les paragraphes 2 à 7 de l'article 24 de la Convention de Genève sera applicable.

Le Comité publiera, le plus tôt possible, l'état visé ci-dessus, et, à moins qu'il ne le juge pas nécessaire, un résumé des explications données ou demandées conformément à l'alinéa précédent, ainsi que toutes observations qu'il tiendrait à faire concernant ces explications ou demandes d'explications.

En publiant les statistiques et autres informations qu'il reçoit en vertu de la présente Convention, le Comité central permanent aura soin de ne faire figurer dans ces publications aucune indication susceptible de favoriser les opérations des spéculateurs ou de porter préjudice au commerce légitime d'une quelconque des Hautes Parties contractantes.

#### CHAPITRE VI.—DISPOSITIONS ADMINISTRATIVES.

##### *Article 15.*

Les Hautes Parties contractantes prendront toutes les mesures législatives ou autres nécessaires pour donner effet dans leurs territoires aux dispositions de la présente Convention.

Les Hautes Parties contractantes établiront, si elles ne l'ont déjà fait, une administration spéciale ayant pour mission:

- a) D'appliquer les prescriptions de la présente Convention;
- b) De réglementer, surveiller et contrôler le commerce des "drogues";
- c) D'organiser la lutte contre la toxicomanie, en prenant toutes les mesures utiles pour en empêcher le développement et pour combattre le trafic illicite.

##### *Article 16*

1. Chacune des Hautes Parties contractantes exercera une surveillance rigoureuse sur:

- a) Les quantités de matières premières et de "drogues" manufacturées qui se trouvent en la possession de chaque fabricant aux fins de fabrication ou de transformation de chacune de ces "drogues" ou à toutes autres fins utiles;

3. The Permanent Central Board shall each year prepare a statement showing, in respect of each country or territory for the preceding year:

- (a) The estimates in respect of each drug;
- (b) The amount of each drug consumed;
- (c) The amount of each drug manufactured;
- (d) The amount of each drug converted;
- (e) The amount of each drug imported;
- (f) The amount of each drug exported;
- (g) The amount of each drug used for the compounding of preparations, exports of which do not require export authorisations.

If such statement indicates that any High Contracting Party has or may have failed to carry out his obligations under this Convention, the Board shall have the right to ask for explanations, through the Secretary-General of the League of Nations, from that High Contracting Party, and the procedure specified in paragraphs 2 to 7 of Article 24 of the Geneva Convention shall apply in any such case.

The Board shall, as soon as possible thereafter, publish the statement above mentioned together with an account, unless it thinks it unnecessary, of any explanations given or required in accordance with the preceding paragraph and any observations which the Board may desire to make in respect of any such explanation or request for an explanation.

The Permanent Central Board shall take all necessary measures to ensure that the statistics and other information which it receives under this Convention shall not be made public in such a manner as to facilitate the operations of speculators or to injure the legitimate commerce of any High Contracting Party.

## CHAPTER VI.—ADMINISTRATIVE PROVISIONS.

*Administrative provisions.*

### *Article 15.*

The High Contracting Parties shall take all necessary legislative or other measures in order to give effect within their territories to the provisions of this Convention. *Laws, etc., to be enacted.*

The High Contracting Parties shall, if they have not already done so, create a special administration for the purpose of:

- (a) Applying the provisions of the present Convention;
- (b) Regulating, supervising and controlling the trade in the drugs;
- (c) Organising the campaign against drug addiction, by taking all useful steps to prevent its development and to suppress the illicit traffic.

### *Article 16.*

1. Each High Contracting Party shall exercise a strict supervision over: *Supervision by each Power.*

- (a) The amounts of raw material and manufactured drugs in the possession of each manufacturer for the purpose of the manufacture or conversion of any of the drugs or otherwise;

- b) Les quantités de "drogues" (ou de préparations contenant ces drogues) produites;
- c) La manière dont il est disposé des "drogues" et préparations ainsi produites, notamment leur distribution au commerce, à la sortie de la fabrique.

2. Les Hautes Parties contractantes ne permettront pas l'accumulation entre les mains d'un fabricant quelconque de quantités de matières premières dépassant les quantités requises pour le fonctionnement économique de l'entreprise, en tenant compte des conditions du marché. Les quantités de matières premières en la possession de tout fabricant, à un moment quelconque, ne dépasseront pas les quantités nécessaires pour les besoins de la fabrication pendant le semestre suivant, à moins que le gouvernement, après enquête, n'estime que des conditions exceptionnelles justifient l'accumulation de quantités additionnelles, mais, en aucun cas, les quantités totales qui pourront être accumulées ainsi ne devront dépasser l'approvisionnement d'une année.

#### *Article 17.*

Chacune des Hautes Parties contractantes astreindra chaque fabricant établi sur ses territoires à fournir des rapports trimestriels indiquant:

- a) Les quantités de matières premières et de chaque "drogue" qu'il a reçues dans sa fabrique, ainsi que les quantités de "drogues" ou de tout autre produit, quel qu'il soit, fabriqué avec chacune de ces substances. En signalant les quantités de matières premières ainsi reçues par lui, le fabricant indiquera la proportion de morphine, de cocaïne ou d'ecgonine contenue dans celles-ci ou qui peut en être retirée—proportion qui sera déterminée par une méthode prescrite par le gouvernement et dans des conditions que le gouvernement considère comme satisfaisantes;
- b) Les quantités, soit de matières premières, soit de produits manufacturés à l'aide de ces matières, qui ont été utilisées au cours du trimestre;
- c) Les quantités restant en stock à la fin du trimestre.

Chacune des Hautes Parties contractantes astreindra chaque négociant en gros établi sur ses territoires à fournir, à la fin de chaque année, un rapport spécifiant pour chaque "drogue" la quantité de cette "drogue" contenue dans les préparations exportées ou importées au cours de l'année et pour l'exportation ou l'importation desquelles il n'est pas requis d'autorisation.

#### *Article 18.*

Chacune des Hautes Parties contractantes s'engage à ce que toutes les "drogues" du groupe I qu'elle saisira dans le trafic illicite soient détruites ou transformées en substances non stupéfiantes ou réservées à l'usage médical ou scientifique, soit par le gouvernement, soit sous son contrôle, une fois que ces "drogues" ne sont plus nécessaires pour la procédure judiciaire ou toute autre action de la part des autorités de l'Etat. Dans tous les cas, la diacétymorphine devra être détruite ou transformée.

- (b) The quantities of the drugs or preparations containing the drugs produced;
- (c) The disposal of the drugs and preparations so produced with especial reference to deliveries from the factories.

2. No High Contracting Party shall allow the accumulation in the possession of any manufacturer of quantities of raw materials in excess of those required for the economic conduct of business, having regard to the prevailing market conditions. The amounts of raw material in the possession of any manufacturer at any one time shall not exceed the amounts required by that manufacturer for manufacture during the ensuing six months, unless the Government, after due investigation, considers that exceptional conditions warrant the accumulation of additional amounts, but in no case shall the total quantities which may be accumulated exceed one year's supply.

#### *Article 17.*

Each High Contracting Party shall require each manufacturer within his territories to submit quarterly reports stating:

Quarterly reports required of each manufacturer.

(a) The amount of raw materials and of each of the drugs received into the factory by such manufacturer and the quantities of the drugs, or any other products whatever, produced from each of these substances. In reporting the amounts of raw materials so received, the manufacturer shall state the proportion of morphine, cocaine or ecgonine contained in or producible therefrom as determined by a method prescribed by the Government and under conditions considered satisfactory by the Government;

(b) The quantities of either the raw material or the products manufactured therefrom which were disposed of during the quarter;

(c) The quantities remaining in stock at the end of the quarter.

Each High Contracting Party shall require each wholesaler within his territories to make at the close of each year a report stating, in respect of each of the drugs, the amount of that drug contained in preparations, exported or imported during the year, for the export or import of which authorisations are not required.

#### *Article 18.*

Each High Contracting Party undertakes that any of the drugs in Group I which are seized by him in the illicit traffic shall be destroyed or converted into non-narcotic substances or appropriated for medical or scientific use, either by the Government or under its control, when these are no longer required for judicial proceedings or other action on the part of the authorities of the State. In all cases diacetylmorphine shall either be destroyed or converted.

Seizures in illicit traffic.

*Article 19.*

Les Hautes Parties contractantes exigeront que les étiquettes sous lesquelles est mise en vente une "drogue" quelconque ou une préparation contenant cette "drogue" indiquent le pourcentage de celle-ci. Elles devront aussi en indiquer le nom de la manière prévue par la législation nationale

## CHAPITRE VII.—DISPOSITIONS GÉNÉRALES.

*Article 20.*

1. Toute Haute Partie contractante dans l'un quelconque des territoires de laquelle une "drogue" quelconque sera fabriquée ou transformée au moment de l'entrée en vigueur de la présente Convention ou qui, à ce moment ou ultérieurement, se proposera d'autoriser sur son territoire cette fabrication ou transformation, enverra une notification au Secrétaire général de la Société des Nations en indiquant si la fabrication ou la transformation est destinée aux besoins intérieurs seulement ou également à l'exportation, et à quelle époque cette fabrication ou transformation commencera; elle spécifiera également les "drogues" qui doivent être fabriquées ou transformées, ainsi que le nom et l'adresse des personnes ou des maisons autorisées.

2. Au cas où la fabrication ou la transformation de l'une quelconque des "drogues" cesserait sur son territoire, la Haute Partie contractante enverra une notification à cet effet au Secrétaire général en indiquant la date et le lieu où cette fabrication ou transformation a cessé ou cessera et en spécifiant les "drogues" visées, les personnes ou maisons visées, ainsi que leur nom et leur adresse.

3. Les renseignements fournis conformément aux paragraphes 1 et 2 seront communiqués par le Secrétaire général aux Hautes Parties contractantes.

*Article 21.*

Les Hautes Parties contractantes se communiqueront par l'entremise du Secrétaire général de la Société des Nations les lois et règlements promulgués pour donner effet à la présente Convention, et lui transmettront un rapport annuel relatif au fonctionnement de la Convention sur leurs territoires, conformément à un formulaire établi par la Commission consultative du trafic de l'opium et autres "drogues" nuisibles.

*Article 22.*

Les Hautes Parties contractantes feront figurer dans les statistiques annuelles fournies par elles au Comité central permanent les quantités de chacune des "drogues" employées par les fabricants et grossistes pour la confection de préparations, destinées à la consommation intérieure ou à l'exportation, pour l'exportation desquelles les autorisations ne sont pas requises.

Les Hautes Parties contractantes feront également figurer dans leurs statistiques un résumé des relevés établis par les fabricants, conformément à l'article 17.

*Article 19.*

The High Contracting Parties will require that the labels under which any of the drugs, or preparations containing those drugs, are offered for sale, shall show the percentage of the drugs. These labels shall also indicate the name of the drugs as provided for in the national legislation.

Marking labels.

## CHAPTER VII.—GENERAL PROVISIONS.

General provisions.

*Article 20.*

1. Every High Contracting Party in any of whose territories any of the drugs is being manufactured or converted, at the time when this Convention comes into force, or in which he proposes either at that time or subsequently to authorise such manufacture or conversion, shall notify the Secretary-General of the League of Nations indicating whether the manufacture or conversion is for domestic needs only or also for export, the date on which such manufacture or conversion will begin, and the drugs to be manufactured or converted as well as the names and addresses of persons or firms authorised.

Information to be furnished the League of Nations.

2. In the event of the manufacture or conversion of any of the drugs ceasing in the territory of any High Contracting Party, he shall notify the Secretary-General to that effect, indicating the place and date at which such manufacture or conversion has ceased or will cease and specifying the drugs affected, as well as the names and addresses of persons or firms concerned.

3. The information furnished under this Article shall be communicated by the Secretary-General to the High Contracting Parties.

Transmission of, to signatories.

*Article 21.*

The High Contracting Parties shall communicate to one another through the Secretary-General of the League of Nations the laws and regulations promulgated in order to give effect to the present Convention, and shall forward to the Secretary-General an annual report on the working of the Convention in their territories, in accordance with a form drawn up by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

Mutual communication of laws, etc.

*Article 22.*

The High Contracting Parties shall include in the annual statistics furnished by them to the Permanent Central Board the amounts of any of the drugs used by manufacturers and wholesalers for the compounding of preparations whether for domestic consumption or for export for the export of which export authorisations are not required.

Reports, to include drugs used in compounds.

The High Contracting Parties shall also include a summary of the returns made by the manufacturers in pursuance of Article 17.

Summary of returns.  
*Ante*, p. 1573.

*Article 23.*

Les Hautes Parties contractantes se communiqueront par l'entremise du Secrétaire général de la Société des Nations, dans un délai aussi bref que possible, des renseignements sur tout cas de trafic illicite découvert par elles et qui pourra présenter de l'importance, soit en raison des quantités de "drogues" en cause, soit en raison des indications que ce cas pourra fournir sur les sources qui alimentent en "drogues" le trafic illicite ou les méthodes employées par les trafiquants illicites.

Ces renseignements indiqueront, dans toute la mesure possible:

- a) La nature et la quantité des "drogues" en cause;
- b) L'origine des "drogues", les marques et étiquettes;
- c) Les points de passage où les "drogues" ont été détournées dans le trafic illicite;
- d) Le lieu d'où les "drogues" ont été expédiées et les noms des expéditeurs, agents d'expédition ou commissionnaires, les méthodes de consignation et les noms et adresses des destinataires s'ils sont connus;
- e) Les méthodes employées et routes suivies par les contrebandiers et éventuellement les noms des navires qui ont servi au transport;
- f) Les mesures prises par les gouvernements en ce qui concerne les personnes impliquées (et, en particulier, celles qui posséderaient des autorisations ou des licences), ainsi que les sanctions appliquées;
- g) Tous autres renseignements qui pourraient aider à la suppression du trafic illicite.

*Article 24.*

La présente Convention complétera les Conventions de La Haye de 1912 et de Genève de 1925 dans les rapports entre les Hautes Parties contractantes liées par l'une au moins de ces dernières Conventions.

*Article 25.*

S'il s'élève entre les Hautes Parties contractantes un différend quelconque relatif à l'interprétation ou à l'application de la présente Convention, et si ce différend n'a pu être résolu de façon satisfaisante par voie diplomatique, il sera réglé conformément aux dispositions en vigueur entre les Parties concernant le règlement des différends internationaux.

Au cas où de telles dispositions n'existeraient pas entre les Parties au différend, elles le soumettront à une procédure arbitrale ou judiciaire. A défaut d'un accord sur le choix d'un autre tribunal, elles soumettront le différend, à la requête de l'une d'elles, à la Cour permanente de Justice internationale, si elles sont toutes parties au Protocole du 16 décembre 1920, relatif au Statut de ladite Cour, et, si elles n'y sont pas toutes parties, à un tribunal d'arbitrage, constitué conformément à la Convention de La Haye du 18 octobre 1907, pour le règlement pacifique des conflits internationaux.

*Article 23.*

The High Contracting Parties will communicate to each other, <sup>Illicit traffic particulars.</sup> through the Secretary-General of the League of Nations, as soon as possible, particulars of each case of illicit traffic discovered by them which may be of importance either because of the quantities involved or because of the light thrown on the sources from which drugs are obtained for the illicit traffic or the methods employed by illicit traffickers.

The particulars given shall indicate as far as possible:

- (a) The kind and quantity of drugs involved;
- (b) The origin of the drugs, their marks and labels;
- (c) The points at which the drugs were diverted into the illicit traffic;
- (d) The place from which the drugs were despatched, and the names of shipping or forwarding agents or consignors; the methods of consignment and the name and address of consignees, if known;
- (e) The methods and routes used by smugglers and names of ships, if any, in which the drugs have been shipped;
- (f) The action taken by the Government in regard to the persons involved, particularly those possessing authorisations or licences and the penalties imposed.
- (g) Any other information which would assist in the suppression of illicit traffic.

*Article 24.*

The present Convention shall supplement the Hague Convention of 1912 and the Geneva Convention of 1925 in the relations between the High Contracting Parties bound by at least one of these latter Conventions.

<sup>Present convention  
supplementary to previous conventions.  
Vol. 38, p. 1912.</sup>

*Article 25.*

If there should arise between the High Contracting Parties a dispute of any kind relating to the interpretation or application of the present Convention and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the Parties providing for the settlement of international disputes.

<sup>Settlement of disputes.</sup>

In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the Permanent Court of International Justice, if all the Parties to the dispute are Parties to the Protocol of December 16th, 1920, relating to the Statute of that Court, and, if any of the Parties to the dispute is not a Party to the Protocol of December 16th, 1920, to an arbitral tribunal constituted in accordance with the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

<sup>Vol. 36, p. 2221.</sup>

*Article 26.*

Toute Haute Partie contractante pourra déclarer, au moment de la signature, de la ratification ou de l'adhésion, qu'en acceptant la présente Convention, elle n'assume aucune obligation pour l'ensemble ou une partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa souveraineté ou sous son mandat, et la présente Convention ne s'appliquera pas aux territoires mentionnés dans cette déclaration.

Toute Haute Partie contractante pourra ultérieurement donner, à tout moment, avis au Secrétaire général de la Société des Nations qu'elle désire que la présente Convention s'applique à l'ensemble ou à une partie de ses territoires qui auront fait l'objet d'une déclaration aux termes de l'alinéa précédent, et la présente Convention s'appliquera à tous les territoires mentionnés dans cet avis, comme dans le cas d'un pays ratifiant la Convention ou y adhérant.

Chacune des Hautes Parties contractantes pourra déclarer à tout moment, après l'expiration de la période de cinq ans prévue à l'article 32, qu'elle désire que la présente Convention cesse de s'appliquer à l'ensemble ou à une partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa souveraineté ou sous son mandat, et la Convention cessera de s'appliquer aux territoires mentionnés dans cette déclaration, comme s'il s'agissait d'une dénonciation faite conformément aux dispositions de l'article 32.

Le Secrétaire général communiquera à tous les Membres de la Société, ainsi qu'aux Etats non membres mentionnés à l'article 27, toutes les déclarations et tous les avis reçus aux termes du présent article.

*Article 27.*

La présente Convention, dont les textes français et anglais feront également foi, portera la date de ce jour et sera, jusqu'au 31 décembre 1931, ouverte à la signature au nom de tout Membre de la Société des Nations ou de tout Etat non membre qui s'est fait représenter à la Conférence qui a élaboré la présente Convention, ou auquel le Conseil de la Société des Nations aura communiqué copie de la présente Convention à cet effet.

*Article 28.*

La présente Convention sera ratifiée. Les instruments de ratification seront transmis au Secrétaire général de la Société des Nations, qui en notifiera le dépôt à tous les Membres de la Société ainsi qu'aux Etats non membres visés à l'article précédent.

*Article 29.*

A dater du 1<sup>er</sup> janvier 1932, tout Membre de la Société des Nations et tout Etat non membre visé à l'article 27 pourra adhérer à la présente Convention.

*Article 26.*

Any High Contracting Party may, at the time of signature, ratification, or accession, declare that, in accepting the present Convention, he does not assume any obligation in respect of all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the present Convention shall not apply to any territories named in such declaration.

Obligations of signatories over colonies, etc.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all territories named in such notice in the same manner as in the case of a country ratifying or acceding to the Convention.

Any High Contracting Party may, at any time after the expiration of the five-years period mentioned in Article 32, declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration as if it were a denunciation under the provisions of Article 32.

The Secretary-General shall communicate to all the Members of the League and to the non-member States mentioned in Article 27, all declarations and notices received in virtue of this Article.

*Article 27.*

The present Convention, of which the French and English texts shall both be authoritative, shall bear this day's date, and shall, until December 31st, 1931, be open for signature on behalf of any Member of the League of Nations, or of any non-member State which was represented at the Conference which drew up this Convention, or to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

Date; open for signature until December 31, 1931.

*Article 28.*

The present Convention shall be ratified. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League and to the non-member States referred to in the preceding Article.

Ratification.

*Article 29.*

As from January 1st, 1932, the present Convention may be acceded to on behalf of any Member of the League of Nations or any non-member State mentioned in Article 27.

Accession of non-signatory powers.

Les instruments d'adhésion seront transmis au Secrétaire général de la Société des Nations, qui en notifiera le dépôt à tous les Membres de la Société ainsi qu'aux Etats non membres visés audit article.

*Article 30.*

La présente Convention entrera en vigueur quatre-vingt-dix jours après que le Secrétaire général de la Société des Nations aura reçu les ratifications ou les adhésions de vingt-cinq Membres de la Société des Nations ou Etats non membres, y compris quatre Etats parmi les suivants:

Allemagne, Etats-Unis d'Amérique, France, Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, Japon, Pays-Bas, Suisse, Turquie.

Les dispositions autres que les articles 2 à 5 ne deviendront toutefois applicable que le 1<sup>er</sup> janvier de la première année pour laquelle les évaluations seront fournies, conformément aux articles 2 à 5.

*Article 31.*

Les ratifications ou adhésions déposées après la date de l'entrée en vigueur de la présente Convention prendront effet à l'expiration d'un délai de quatre-vingt-dix jours à partir du jour de leur réception par le Secrétaire général de la Société des Nations.

*Article 32.*

A l'expiration d'un délai de cinq ans à partir de l'entrée en vigueur de la présente Convention, celle-ci pourra être dénoncée par un instrument écrit déposé auprès du Secrétaire général de la Société des Nations. Cette dénonciation, si elle est reçue par le Secrétaire général le 1<sup>er</sup> juillet d'une année quelconque ou antérieurement à cette date, prendra effet le 1<sup>er</sup> janvier de l'année suivante, et, si elle est reçue après le 1<sup>er</sup> juillet, elle prendra effet comme si elle avait été reçue le 1<sup>er</sup> juillet de l'année suivante ou antérieurement à cette date. Chaque dénonciation ne sera opérante que pour le Membre de la Société des Nations ou l'Etat non membre au nom duquel elle aura été déposée.

Le Secrétaire général notifiera à tous les Membres de la Société et aux Etats non membres mentionnés à l'article 27 les dénonciations ainsi reçues.

Si, par suite de dénonciations simultanées ou successives, le nombre des Membres de la Société des Nations et des Etats non membres qui sont liés par la présente Convention se trouve ramené à moins de vingt-cinq, la Convention cessera d'être en vigueur à partir de la date à laquelle la dernière de ces dénonciations prendra effet, conformément aux dispositions du présent article.

The instruments of accession shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-member States mentioned in that Article.

*Article 30.*

The present Convention shall come into force ninety days after the Secretary-General of the League of Nations has received the ratifications or accessions of twenty-five Members of the League of Nations or non-member States, including any four of the following:

Effective date.

France, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Netherlands, Switzerland, Turkey, and the United States of America.

Provided always that the provisions of the Convention other than Articles 2 to 5 shall only be applicable from the first of January in the first year in respect of which estimates are furnished in conformity with Articles 2 to 5.

*Article 31.*

Ratifications or accessions received after the date of the coming into force of this Convention shall take effect as from the expiration of the period of ninety days from the date of their receipt by the Secretary-General of the League of Nations.

Ratifications received after Convention in force.

*Article 32.*

After the expiration of five years from the date of the coming into force of this Convention, the Convention may be denounced by an instrument in writing, deposited with the Secretary-General of the League of Nations. The denunciation, if received by the Secretary-General on or before the first day of July in any year, shall take effect on the first day of January in the succeeding year, and, if received after the first day of July, shall take effect as if it had been received on or before the first day of July in the succeeding year. Each denunciation shall operate only as regards the Member of the League or non-member State on whose behalf it has been deposited.

Denunciation.

The Secretary-General shall notify all the Members of the League and the non-member States mentioned in Article 27 of any denunciations received.

If, as a result of simultaneous or successive denunciations, the number of Members of the League and non-member States bound by the present Convention is reduced to less than twenty-five, the Convention shall cease to be in force as from the date on which the last of such denunciations shall take effect in accordance with the provisions of this Article.

*Article 33.*

Une demande de revision de la présente Convention pourra être formulée en tout temps par tout Membre de la Société des Nations ou Etat non membre lié par la Convention, par voie de notification adressée au Secrétaire général de la Société des Nations. Cette notification sera communiquée par le Secrétaire général à tous les autres Membres de la Société des Nations et Etats non membres ainsi liés, et, si elle est appuyée par un tiers au moins d'entre elles, les Hautes Parties contractantes s'engagent à se réunir en une conférence aux fins de revision de la Convention.

*Article 34.*

La présente Convention sera enregistrée par le Secrétaire général de la Société des Nations le jour de l'entrée en vigueur de la Convention.

*Article 33.*

A request for the revision of the present Convention may at any time be made by any Member of the League of Nations or non-member State bound by this Convention by means of a notice addressed to the Secretary-General of the League of Nations. Such notice shall be communicated by the Secretary-General to the other Members of the League of Nations or non-member States bound by this Convention, and, if endorsed by not less than one-third of them, the High Contracting Parties agree to meet for the purpose of revising the Convention.

Request for revision.

*Article 34.*

The present Convention shall be registered by the Secretary-General of the League of Nations on the day of its entry into force.<sup>Registry, on entry into force.</sup>

**Signatures.**

**EN FOI DE QUOI** les plénipotentiaires susmentionnés ont signé la présente Convention.

**FAIT** à Genève, le treize juillet mil neuf cent trente et un, en un seul exemplaire, qui sera déposé dans les archives du Secrétariat de la Société des Nations, et dont les copies certifiées conformes seront remises à tous les Membres de la Société des Nations et aux Etats non membres mentionnés à l'article 27.

**IN FAITH WHEREOF** the above-mentioned Plenipotentiaries have signed the present Convention.

**DONE** at Geneva the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and certified true copies of which shall be delivered to all the Members of the League and to the non-member States referred to in Article 27.

**ALLEMAGNE****GERMANY**

**Freiherr von RHEINBABEN**  
**Dr. KAHLER**

Reservation by the  
United States of Amer-  
ica.

**ÉTATS-UNIS D'AMÉRIQUE****UNITED STATES OF AMERICA**

**John K. CALDWELL**  
**Harry J. ANSLIGER**  
**Walter Lewis TREADWAY.**  
**Sanborn YOUNG.**

(1) The Government of the United States of America reserves the right to impose, for purpose of internal control and control of import into and export from territory under its jurisdiction, of opium, coca leaves, all of their derivatives and similar substances produced by synthetic process, measures stricter than the provisions of the Convention.

(2) The Government of the United States of America reserves the right to impose, for purposes of controlling transit through its territories of raw opium, coca leaves, all of their derivatives and similar substances produced by synthetic process, measures by which the production of an import permit issued by the country of destination may be made a condition precedent to the granting of permission for transit through its territory.

(3) The Government of the United States of America finds it impracticable to undertake to send statistics of import and export to the Permanent Central Opium Board short of sixty days after the close of the three-months' period to which such statistics refer.

(4) The Government of the United States of America finds it impracticable to undertake to state separately amounts of drugs purchased or imported for Government purposes.

(5) Plenipotentiaries of the United States of America formally declare that the signing of the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs by them on the part of the United States of America on this date is not to be construed to mean that the Government of the United States of America recognises a regime or entity which signs or accedes to the Convention as the Government of a country when that regime or entity is not recognised by the Government of the United States of America as the Government of that country.

(6) The plenipotentiaries of the United States of America further declare that the participation of the United States of America in the Convention for limiting the manufacture of and regulating the distribution of narcotic drugs, signed on this date, does not involve any contractual obligation on the part of the United States of America to a country represented by a regime or entity which the Government of the United States of America does not recognise as the Government

of that country until such country has a Government recognised by the Government of the United States of America.<sup>1</sup>

J. K. C.  
H. J. A.  
W. L. T.  
S. Y.

RÉPUBLIQUE ARGENTINE

ARGENTINE REPUBLIC Signatures—Contd.

*Ad referendum.*  
Fernando PEREZ

AUTRICHE

AUSTRIA

E. PFLÜGL  
D<sup>r</sup> Bruno SCHULTZ

BELGIQUE

BELGIUM

D<sup>r</sup> F. DE MYTTENAERE

BOLIVIE

BOLIVIA

M. CUELLAR

BRÉSIL

BRAZIL

Raul DO RIO BRANCO

GRANDE-BRETAGNE

GREAT BRITAIN

ET IRLANDE DU NORD

AND NORTHERN IRELAND

ainsi que toutes parties de l'Empire britannique non Membres séparés de la Société des Nations and all parts of the British Empire which are not separate Members of the League of Nations.

Malcolm DELEVINGNE

CANADA

CANADA

C. H. L. SHARMAN

W. A. RIDDELL

<sup>1</sup> Traduction par le Secrétariat de la Société des Nations.

(1) Le Gouvernement des Etats-Unis d'Amérique se réserve le droit d'appliquer, en vue de l'exercice d'un contrôle intérieur et d'un contrôle des importations et des exportations d'opium, de feuilles de coca et de tous leurs dérivés, et de produits synthétiques analogues, effectués par les territoires placés sous sa juridiction, des mesures plus strictes que les dispositions de la Convention.

(2) Le Gouvernement des Etats-Unis d'Amérique se réserve le droit d'appliquer, en vue de l'exercice d'un contrôle sur le transit à travers ses territoires de l'opium brut, des feuilles de coca, de tous leurs dérivés et des produits synthétiques analogues, des mesures en vertu desquelles l'octroi d'une autorisation de transit à travers son territoire pourra être subordonné à la production d'un permis d'importation délivré par le pays de destination.

(3) Le Gouvernement des Etats-Unis d'Amérique ne voit pas la possibilité de s'engager à envoyer au Comité central permanent de l'opium des statistiques des importations et des exportations avant un délai de soixante jours à dater de la fin de la période de trois mois à laquelle se rapportent ces statistiques.

(4) Le Gouvernement des Etats-Unis d'Amérique ne voit pas la possibilité de s'engager à indiquer séparément les quantités de stupéfiants achetées ou importées pour les besoins de l'Etat.

(5) Les plénipotentiaires des Etats-Unis d'Amérique déclarent formellement que le fait qu'ils ont signé ce jour, pour le compte des Etats-Unis d'Amérique, la Convention pour la limitation de la fabrication et la réglementation de la distribution des stupéfiants, ne doit pas être interprété comme signifiant que le Gouvernement des Etats-Unis d'Amérique reconnaît un régime ou une entité qui signe la Convention ou y accède comme constituant le gouvernement d'un pays, lorsque ce régime ou cette entité n'est pas reconnue par le Gouvernement des Etats-Unis d'Amérique comme constituant le gouvernement de ce pays.

(6) Les plénipotentiaires des Etats-Unis d'Amérique déclarent, en outre, que la participation des Etats-Unis d'Amérique à la Convention pour la limitation de la fabrication et la réglementation de la distribution des stupéfiants, signée ce jour, n'implique aucune obligation contractuelle de la part des Etats-Unis d'Amérique à l'égard d'un pays représenté par un régime ou une entité que le Gouvernement des Etats-Unis d'Amérique ne reconnaît pas comme constituant le gouvernement de ce pays, tant que ce pays n'a pas un gouvernement reconnu par le Gouvernement des Etats-Unis d'Amérique.

<b>Signatures—Contd.</b>	<b>INDE</b>	<b>INDIA</b>
	<b>R. P. PARANJPYE</b>	
<b>CHILI</b>	<b>Enrique J. GAJARDO V.</b>	<b>CHILE</b>
<b>COSTA-RICA</b>	<b>Viriato FIGUEREDO LORA.</b>	<b>COSTA RICA</b>
<b>CUBA</b>	<b>G. DE BLANCK</b> <b>D<sup>r</sup> B. PRIMELLES</b>	<b>CUBA</b>
<b>DANEMARK</b>	<b>Gustav RASMUSSEN</b>	<b>DENMARK</b>
<b>VILLE LIBRE DE DANTZIG</b>	<b>FREE CITY OF DANZIG</b>	
	<b>F. SOKAL</b>	
<b>RÉPUBLIQUE DOMINICAINE</b>	<b>DOMINICAN REPUBLIC</b>	
	<b>Ch. ACKERMANN</b>	
<b>ÉGYPTE</b>	<b>T. W. RUSSELL</b>	<b>EGYPT</b>
<b>ESPAGNE</b>	<b>Julio CASARES</b>	<b>SPAIN</b>
<b>ÉTHIOPIE</b>	<b>C<sup>te</sup> LAGARDE DUC d'ENTOTTO</b>	<b>ABYSSINIA</b>
<b>Reservation by France.</b>	<b>FRANCE</b>	<b>FRANCE</b>
	Le Gouvernement français fait toutes ses réserves en ce qui concerne les colonies, protectorats et pays sous mandat dépendant de son autorité, sur la possibilité de produire régulièrement dans le délai strictement imparti les statistiques trimestrielles visées par l'article 13. <sup>1</sup>	
<b>GRÈCE</b>	<b>G. BOURGOIS</b>	<b>GREECE</b>
<b>GUATÉMALA</b>	<b>R. RAPHAËL</b>	<b>GUATEMALA</b>
	<b>Luis MARTÍNEZ MONT.</b>	
<b>HEDJAZ, NEDJED ET DÉPENDANCES</b>		<b>HEJAZ, NEJD AND DEPENDENCIES</b>
	<b>HAFIZ WAHBA</b>	
<b>ITALIE</b>	<b>CAVAZZONI Stefano</b>	<b>ITALY</b>
<b>JAPON</b>	<b>S. SAWADA</b> <b>S. OHDACHI</b>	<b>JAPAN</b>
<b>LIBÉRIA</b>	<b>D<sup>r</sup> A. SOTTILE</b>	<b>LIBERIA</b>
	Sous réserve de ratification du Sénat de la République de Libéria. <sup>2</sup>	
<b>LITHUANIE</b>	<b>ZAUNIUS.</b>	<b>LITHUANIA</b>

<sup>1</sup> Translation by the Secretariat of the League of Nations:

The French Government makes every reservation, with regard to the Colonies, Protectorates and Mandated Territories under its authority, as to the possibility of regularly producing the quarterly statistics referred to in Article 13 within the strict time-limit laid down.

<sup>2</sup> Traduction par le Secrétariat de la Société des Nations.

Subject to ratification by the Senate of the Republic of Liberia.

LUXEMBOURG		LUXEMBURG	Signatures—Contd.
	Ch. G. VERMAIRE		
MEXIQUE	S. MARTÍNEZ DE ALVA	MEXICO	
MONACO	C. HENTSCH.	MONACO	
PANAMA	D <sup>r</sup> Ernesto HOFFMANN.	PANAMA	
PARAGUAY	R. V. CABALLERO DE BEDOYA	PARAGUAY	
PAYS-BAS	v. WETTUM	THE NETHERLANDS	
PERSE	A. SEPAHBODY	PERSIA	
POLOGNE	CHODŽKO	POLAND	
PORTUGAL	Augusto de VASCONCELLOS A. M. FERRAZ DE ANDRADE	PORTUGAL	
ROUMANIE	C. ANTONIADE	ROUMANIA	
SAINT-MARIN	FERRI Charles Emile	SAN MARINO	
SIAM	DAMRAS	SIAM	Reservation by Siam.
SUÈDE	K. I. WESTMAN	SWEDEN	
SUISSE	Paul DINICHERT D <sup>r</sup> H. CARRIÈRE	SWITZERLAND	
TCHÉCOSLOVAQUIE	Zd. FIERLINGER	CZECHOSLOVAKIA	
URUGUAY	Alfredo de CASTRO	URUGUAY	
VENEZUELA	<i>Ad referendum</i> L. G. CHACÍN ITRIAGO	VENEZUELA	

Copie certifiée conforme.

Certified true copy.

Pour le Secrétaire général:

For the Secretary-General:

J. A. BUERO

*Conseiller juridique du Secrétariat.**Legal Adviser of the Secretariat.*<sup>1</sup> Traduction par le Secrétariat de la Société des Nations.

Etant donné que la loi siamoise relative aux drogues donnant lieu à une toxicomanie va plus loin que la Convention de Genève et que la présente Convention, en ce qui concerne certains points, mon gouvernement se réserve le droit d'appliquer la loi en question.

**PROTOCOLE DE SIGNATURE**

I. En signant la Convention pour limiter la fabrication et réglementer la distribution des stupéfiants en date de ce jour, les Plénipotentiaires soussignés, dûment autorisés à cet effet, et au nom de leurs gouvernements respectifs, déclarent être convenus de ce qui suit:

Si, à la date du 13 juillet 1933, ladite Convention n'est pas entrée en vigueur conformément aux dispositions de l'article 30, le Secrétaire général de la Société des Nations soumettra la situation au Conseil de la Société des Nations, qui pourra, soit convoquer une nouvelle conférence de tous les Membres de la Société des Nations et Etats non membres au nom desquels la Convention aura été signée ou des ratifications ou des adhésions auront été déposées, en vue d'examiner la situation, soit prendre les mesures qu'il considérerait comme nécessaires. Le gouvernement de chaque Membre de la Société des Nations ou Etat non membre signataire ou adhérent s'engage à se faire représenter à toute conférence ainsi convoquée.

II. Le Gouvernement du Japon a fait la réserve exprimée ci-dessous, qui est acceptée par les autres Hautes Parties contractantes:

La morphine brute produite au cours de la fabrication de l'opium à fumer dans la fabrique du Gouvernement général de Formose et tenue en stock par ce gouvernement, ne sera pas soumise aux mesures de limitation prévues à la présente Convention.

Il ne sera retiré de temps à autre de ces stocks de morphine brute que les quantités qui pourront être requises pour la fabrication de la morphine raffinée dans les fabriques munies d'une licence par le Gouvernement japonais conformément aux dispositions de la présente Convention.

## PROTOCOL OF SIGNATURE

Protocol of signature.

I. When signing the Convention for limiting the manufacture and regulating the distribution of narcotic drugs dated this day, the undersigned Plenipotentiaries, duly authorised to that effect and in the name of their respective Governments, declare to have agreed as follows:

If, on July 13th, 1933, the said Convention is not in force in accordance with the provisions of Article 30, the Secretary-General of the League of Nations shall bring the situation to the attention of the Council of the League of Nations, which may either convene a new Conference of all the Members of the League and non-member States on whose behalf the Convention has been signed or ratifications or accessions deposited, to consider the situation, or take such measures as it considers necessary. The Government of every signatory or acceding Member of the League of Nations or non-member State undertakes to be present at any Conference so convened.

Action, if signatures  
not obtained.  
*Ante*, p. 1581.

II. The Japanese Government made the following reservation, <sup>Reservation by</sup> <sub>Japan.</sub> which is accepted by the other High Contracting Parties:

Crude morphine resulting from the manufacture of prepared opium in the factory of the Government-General of Formosa and held in stock by that Government shall not be subjected to the limitation measures provided for in this Convention.

Such stocks of crude morphine will only be released from time to time in such quantities as may be required for the manufacture of refined morphine in factories licensed by the Japanese Government in accordance with the provisions of the present Convention.

EN FOI DE QUOI les soussignés ont apposé leur signature au bas du présent protocole.

FAIT à Genève, le treize juillet mil neuf cent trente et un, en simple expédition qui sera déposée dans les archives du Secrétariat de la Société des Nations; copie conforme en sera transmise à tous les Membres de la Société des Nations et à tous les Etats non membres représentés à la Conférence.

IN FAITH WHEREOF the undersigned have affixed their signatures to this Protocol.

DONE at Geneva, the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified true copies will be transmitted to all Members of the League of Nations and to all non-member States represented at the Conference.

## Signatures.

## ALLEMAGNE

Freiherr von RHEINBABEN  
Dr. KAHLER

## GERMANY

## ÉTATS-UNIS D'AMÉRIQUE

UNITED STATES OF AMERICA  
John K. CALDWELL.  
Harry J. ANSLINGER  
Walter Lewis TREADWAY.  
Sanborn YOUNG.

## RÉPUBLIQUE ARGENTINE

ARGENTINE REPUBLIC  
*Ad referendum*  
Fernando PEREZ.

## AUTRICHE

D<sup>r</sup> E. PFLÜGL  
D<sup>r</sup> Bruno SCHULTZ

## AUSTRIA

## BELGIQUE

D<sup>r</sup> F. DE MYTTENAERE

## BELGIUM

## BOLIVIE

M. CUELLAR

## BOLIVIA

## BRÉSIL

Raul do RIO BRANCO

## BRAZIL

## GRANDE-BRETAGNE

GREAT BRITAIN

ET IRLANDE DU NORD

AND NORTHERN IRELAND

ainsi que toutes parties de l'Empire britannique non Membres séparés de la Société des Nations.

and all parts of the British Empire which are not separate Members of the League of Nations.

Malcolm DELEVINGNE

## CANADA

C. H. L. SHARMAN.  
W. A. RIDDELL

## CANADA

## INDE

R. P. PARANJPYE

## INDIA

CHILI		CHILE Signatures—Contd.
	Enrique J. GAJARDO V.	
COSTA-RICA		COSTA RICA
	Viriato FIGUEREDO LORA.	
CUBA		CUBA
	G. DE BLANCK Dr. B. PRIMELLES.	
DANEMARK		DENMARK
	Gustav RASMUSSEN.	
VILLE LIBRE DE DANTZIG		FREE CITY OF DANZIG
	F. SOKAL	
RÉPUBLIQUE DOMINICAINE		DOMINICAN REPUBLIC
	Ch. ACKERMANN	
EGYPTE		EGYPT
	T. W. RUSSELL	
ESPAGNE		SPAIN
	Julio CASARES	
ÉTHIOPIE		ABYSSINIA
	C <sup>te</sup> LAGARDE duc d'ENTOTTO	
FRANCE		FRANCE
	G. BOURGOIS	
GRÈCE		GREECE
	R. RAPHAËL	
GUATÉMALA		GUATEMALA
	Luis MARTÍNEZ MONT.	
HEDJAZ, NEDJED ET DÉPENDANCES		HEJAZ, NEJD AND DEPENDENCIES
	HAFIZ WAHBA	
ITALIE		ITALY
	CAVAZZONI Stefano	
JAPON		JAPAN
	S. SAWADA S. OHDAKI	
LITHUANIE		LITHUANIA
	J. SAKALAUSKAS	
LUXEMBOURG		LUXEMBURG
	Ch. G. VERMAIRE	
MEXIQUE		MEXICO
	S. MARTÍNEZ DE ALVA	
MONACO		MONACO
	C. HENTSCH.	

Signatures—Contd. PANAMA

PANAMA

Dr. Ernesto HOFFMANN.

PARAGUAY

PARAGUAY

R. V. CABALLERO DE BEDOYA

PAYS-BAS

THE NETHERLANDS

My signature is subject to the reserve made by me  
on § 2 of Article 22 in the morning meeting of  
July 12th, 1931.<sup>1</sup>

v. WETTUM

PERSE

PERSIA

A. SEPAHBODY

POLOGNE

POLAND

CHODŽKO

PORTUGAL

PORTUGAL

Augusto de VASCONCELLOS  
A. M. FERRAZ de ANDRADE

ROUMANIE

ROUMANIA

C. ANTONIADE.

SAINT-MARIN

SAN MARINO

FERRI Charles Emile

SIAM

SIAM

DAMRAS

SUÈDE

SWEDEN

K. J. WESTMAN

SUISSE

SWITZERLAND

Paul DINICHERT  
Dr. H. CARRIÈRE

URUGUAY

URUGUAY

Alfredo de CASTRO

VENEZUELA

VENEZUELA

*Ad referendum*

L. G. CHACÍN ITRIAGO

Copie certifiée conforme.

Certified true copy.

Pour le Secrétaire général:

For the Secretary-General:

J. A. BUERO

*Conseiller juridique  
du Secrétariat.*

*Legal Adviser of the  
Secretariat.*

<sup>1</sup> Traduction du Secrétariat de la Société des Nations:

Ma signature est subordonnée à la réserve faite par moi relativement au  
paragraphe 2 de l'article 22, à la séance du matin du 12 juillet 1931.

AND WHEREAS the ratifications or accessions required under Article 30 of the said convention for the entry into force thereof, including the ratification by the United States of America, were received by the Secretary General of the League of Nations on or before April 10, 1933,<sup>1</sup> and that fact was notified to the Government of the United States of America by the Secretary General, the said convention under the terms of the said article, entered into force on the ninetieth day after April 10, 1933, namely, on July 9, 1933.

Ratifications, etc.  
*Ante*, p. 1581.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, subject to the reservations declared by the Plenipotentiaries of the United States of America at the time of signature of the said Convention, and included in the instrument of ratification thereof by the United States of America.

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of July in the year of our Lord one thousand nine hundred and thirty-three  
[SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

---

<sup>1</sup> The following ratifications and accessions were received by the Secretary General of the League of Nations on or before Apr. 10, 1933:

*Ratifications.*—United States of America, Belgium, Canada, Chile, Costa Rica, Cuba, Dominican Republic, Egypt, France, Germany, Great Britain, India, Italy, Lithuania, Mexico, Monaco, Persia, Portugal, Spain, Sweden, Switzerland, and Uruguay.

*Accessions.*—Brazil, Bulgaria, El Salvador, Hungary, Nicaragua, Peru, Sudan, and Turkey.

Other ratifications and accessions were received by the Secretary General as follows:

*Ratifications.*—Czechoslovakia, Apr. 12, 1933; Free City of Danzig, Apr. 18, 1933; Guatemala, May 1, 1933; the Netherlands (including the Netherland Indies, Surinam, and Curaçao), May 22, 1933; Poland, Apr. 11, 1933; Rumania, Apr. 11, 1933; and San Marino, June 12, 1933.

*Accessions.*—Haiti, May 4, 1933, and the Irish Free State, Apr. 11, 1933.

July 14, 1933.  
August 1, 1933.

*Parcel post agreement between the United States of America and the Hellenic Republic with regulations of execution. Signed at Athens, July 14, 1933; at Washington, August 1, 1933; approved by the President, August 8, 1933.*

Arrangement  
entre  
la République Hellénique  
et  
les États-Unis d'Amérique  
concernant  
l'Échange des Colis Posteaux

*Parcel post agree-  
ment with the Hellenic  
Republic.  
Preamble.*

Les soussignés, munis des pleins-pouvoirs de leurs Gouvernements respectifs ont, d'un commun accord et sous réserve de ratification par l'autorité supérieure compétente, arrêté l'Arrangement suivant:

**ARTICLE I**

**Object.**

*Objet de l'Arrangement.*

**Territory embraced.**

1. Entre les États-Unis d'Amérique (y compris l'Alaska, Puerto Rico, les îles Vierges, Guam, Samoa et Hawaï), d'une part, et la République Hellénique, d'autre part, il peut être échangé, sous la dénomination de colis postaux, des envois jusqu'à concurrence de 22 livres (10 kilogrammes), et des dimensions maxima suivantes:

*Maximum weight of  
parcels.*

**Size.**

Longueur maximum de 4 pieds (120 cm.), à condition que les colis de plus de 42 pouces (105 cm.), mais ne dépassant pas 44 pouces (110 cm.) de longueur, n'excèdent pas 24 pouces (60 cm.) de pourtour; les colis de plus de 44 pouces (110 cm.), mais ne dépassant pas 46 pouces (115 cm.) de longueur, n'excèdent pas 20 pouces (50 cm.) de pourtour; les colis dépassant 46 pouces (115 cm.), jusqu'à 4 pieds (120 cm.) de longueur, n'excèdent pas 16 pouces (40 cm.) de pourtour; les colis jusqu'à 3½ pieds (105 cm.) de longueur n'excèdent pas 6 pieds de longueur et pourtour ensemble.

Agreement  
between  
the Hellenic Republic  
and  
the United States of America  
concerning  
the Exchange of Parcel Post

The undersigned, provided with full powers by their respective Governments, have, by common consent and subject to ratification by the competent superior authorities, drawn up the following Agreement:

**ARTICLE I**

*Object of the Agreement.*

1. Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii), on one hand, and the Hellenic Republic, on the other hand, there may be exchanged under the denomination of parcel post, parcels up to the weight limit of 22 pounds (10 kilograms), and the following maximum dimensions:

Greatest length 4 feet (120 cm.), on condition that parcels over 42 inches (105 cm.) but not over 44 inches (110 cm.) long do not exceed 24 inches (60 cm.) in girth; that parcels over 44 inches (110 cm.) but not over 46 inches (115 cm.) long do not exceed 20 inches (50 cm.) in girth; that parcels over 46 inches (115 cm.) but not over 4 feet (120 cm.) long do not exceed 16 inches (40 cm.) in girth; and that parcels up to 3½ feet (105 cm.) in length do not exceed 6 feet (180 cm.) in length and girth combined.

July 14, 1938.  
August 1, 1933.

2. Les limites de poids et de dimensions précitées peuvent être modifiées d'un commun accord par voie de correspondance.

2. The above-mentioned weight limits and maximum dimensions may be changed by an agreement made by correspondence.

## ARTICLE II

*Colis en Transit*

1. Chaque Administration garantit la liberté de transit sur son territoire, dans les relations avec les pays avec lesquels elle entretient un échange de colis, pour tout colis originaire ou à destination de l'autre Administration contractante.

2. Les Administrations se notifient la nomenclature des pays à destination desquels elles acceptent des colis en transit.

3. Pour être acceptés au transit, les colis doivent être conformes aux prescriptions du pays intermédiaire.

## ARTICLE II

*Transit Parcels*

Transit parcels.

Rights guaranteed.

1. Each Administration guarantees liberty of transit over its territory, in relations with countries with which it maintains an exchange of parcels, for every parcel originating in or destined for the other contracting Administration.

2. The Administrations notify each other as to the countries of destination for which they accept parcels in transit.

3. To be accepted in transit, parcels must be in conformity with the provisions of the intermediate country.

Notice.

Other requirements.

## ARTICLE III

*Affranchissement. Taxes.*

1. L'Administration du pays d'origine est autorisée à percevoir sur l'expéditeur de chaque colis, suivant les prescriptions en vigueur dans son service, les taxes de transport, les taxes à la valeur, ainsi que les droits pour les avis de réception et les recherches.

2. Les taxes et droits prévus au Paragraphe 1 doivent être payés d'avance, sauf en cas de réexpédition ou de renvoi des colis.

3. Il ne peut être perçu aucun droit et aucune taxe autres que ceux prévus par le présent Arrangement ou par son Règlement d'Exécution.

## ARTICLE III

*Postage and Fees.*

Postage, etc.

Collecting, from sender.

1. The Administration of the country of origin is authorized to collect from the sender of each parcel, in accordance with the provisions in force in its service, the postage charges and insurance fees, as well as the fees for return receipts and inquiries.

2. The charges and fees provided for in Section 1 must be paid in advance, save in case of reforwarding or return of parcels.

3. No fee or postage charge other than those provided for by the present Agreement or its Regulations of Execution may be collected.

Prepayment.

Restriction.

## ARTICLE IV

*Conditionnement des Colis.*

Chaque colis doit être emballé d'une manière qui répond à la durée du transport et qui préserve le contenu, ainsi qu'il est prescrit par le Règlement d'Exécution.

## ARTICLE IV

*Preparation of Parcels.*

Preparing parcels.

Packing requirements.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

July 14, 1933.  
August 1, 1933.

## ARTICLE V

*Interdictions.***Prohibitions.****Letters, etc.****Article with different address.****Live animals.****Nonadmissible.****Explosives.****Obscene, etc., articles.****Erroneously handled, etc.****Parcel containing a letter.**

1. Il est interdit d'insérer dans les colis postaux:

a) des communications ou des notes ayant le caractère de lettres. Il est cependant permis d'insérer dans l'envoi la facture ouverte réduite à ses énonciations constitutives, de même qu'une simple copie de l'adresse du colis, avec mention de l'adresse de l'expéditeur.

b) un objet portant une adresse autre que celle du destinataire de l'envoi;

c) des animaux vivants, à l'exception des sanguines;

d) des objets dont l'admission est interdite par les lois ou règlements de douane ou autres de l'un ou l'autre des pays;

e) des matières explosives ou inflammables, et, d'une manière générale, des objets dont le transport est dangereux; y compris les objets qui, par leur nature ou par leur emballage, peuvent constituer une source de danger pour les employés de la poste, ou salir ou endommager des autres colis.

f) Les objets obscènes ou immoraux.

2. Si des colis tombant sous l'une de ces interdictions ont été admis à tort à l'expédition, l'Administration qui en fait la constatation les traite suivant sa législation et ses règlements intérieures.

Les matières explosives ou inflammables, ainsi que les documents, portraits, ou autres objets portant atteinte aux bonnes moeurs du public, peuvent être détruites sur place par l'Administration qui les a trouvées dans les courriers.

Le fait qu'un colis contient une lettre ou une communication ayant le caractère d'une lettre ne peut en aucun cas entraîner le retour à l'expéditeur d'un colis. La lettre est toutefois taxée en vue de la perception du destinataire de l'affranchissement dû, selon le tarif régulier.

## ARTICLE V

*Prohibitions.*

1. It is forbidden to inclose in parcels:

a) Communications or notes having the character of letters. It is permissible, however, to enclose in the parcel the open invoice reduced to its essential features, as well as a simple copy of the address of the parcel with mention of the address of the sender.

b) An article bearing an address other than that of the addressee of the parcel.

c) Live animals, except leeches.

d) Articles whose admission is forbidden by the customs or other laws or regulations of either country.

e) Explosive or inflammable articles, and, in general, all articles whose transportation is dangerous, including articles which from their nature or packing may be a source of danger to postal employees, or may soil or damage other parcels.

f) Obscene or immoral articles.

2. If parcels coming under one of these prohibitions have been wrongly accepted for mailing, the Administration detecting them treats them in accordance with its domestic laws and regulations.

Explosive or inflammable articles, as well as documents, pictures or other articles injurious to public morals, may be destroyed on the spot by the Administration which has found them in the mails.

The fact that a parcel contains a letter or a communication having the nature of a letter may not in any case entail the return of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

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3. Les deux Administrations se communiquent, au moyen de la "Liste des Objets Interdits" publiée par le Bureau International de l'Union Postale Universelle, la nomenclature de tous les objets interdits. Toutefois, elles n'assument de ce chef aucune responsabilité envers les organes de la douane ou de la police ou envers l'expéditeur.

#### ARTICLE VI.

##### *Assurance.*

Les colis peuvent être assurés jusqu'au montant de 500 francs-or ou l'équivalent en monnaie du pays d'origine. Cependant, les Chefs des Administrations Postales des deux pays contractants peuvent, d'un commun accord, augmenter ou diminuer ce montant maximum d'assurance.

Un colis ne peut donner lieu au paiement d'une indemnité supérieure à la valeur réelle de son contenu, mais il est loisible de l'assurer pour une partie de cette valeur seulement.

#### ARTICLE VII.

##### *Responsabilité. Indemnité.*

1. Les Administrations Postales des deux pays contractants ne seront pas responsables de la perte, de l'abstraction ou du dommage d'un colis ordinaire; mais l'une ou l'autre des Administrations est libre de payer indemnité pour la perte, l'abstraction ou le dommage qui ait eu lieu dans son service, sans recours contre l'autre Administration.

Sauf dans les cas mentionnés au paragraphe suivant, les Administrations sont responsables de la perte des colis assurés déposés dans l'un des deux pays contractants pour être livrés dans l'autre, et pour la perte, l'abstraction ou le dommage de leur contenu ou une partie de tel contenu. L'expéditeur ou un autre ayant-droit a le droit, de ce chef, à une indemnité qui corresponde au montant réel de la perte, de l'abstraction ou du dommage. Le montant de l'indemnité est calculé sur la

3. The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility toward the customs or police authorities or the sender.

#### ARTICLE VI.

##### *Insurance.*

Parcels may be insured up to the amount of 500 gold francs or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

A parcel cannot give rise to the payment of an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

#### ARTICLE VII.

##### *Responsibility. Indemnity.*

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel; but either Administration is at liberty to pay indemnity for the loss, abstraction or damage which may occur in its service, without recourse to the other Administration.

Except in the cases mentioned in the Section following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction or damage to their contents, or a part thereof. The sender, or other rightful claimant, is entitled on this account to an indemnity corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calcu-

List of prohibited articles to be published.

##### *Insurance.*

##### *Maximum amount.*

##### *Limitation.*

##### *Responsibility, etc.*

No indemnity for loss of ordinary parcel.

##### *Allowance to sender.*

##### *Basis.*

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**Restriction.**

ase de la valeur réelle (le prix courant, ou, à son défaut, la valeur ordinaire appréciée) au lieu et à l'époque où le colis a été accepté au transport; pourvu que l'indemnité ne puisse en aucun cas être supérieure à la somme pour laquelle le colis a été assuré, sur laquelle la taxe à la valeur a été perçue, ni au maximum de 100 dollars (500 francs-or).

**Postage reimbursement on lost parcel.**

Dans le cas où l'indemnité est payable pour la perte d'un colis ou pour la destruction ou abstraction de son contenu entier, l'expéditeur a le droit à la restitution des taxes postales, sur demande. Toutefois, les droits d'assurance ne sont remboursés dans aucun cas.

**Parcel originating in a country not a party thereto.**

Sauf arrangement spécial contraire entre les pays intéressés, aucune indemnité ne sera payée par l'un ou l'autre des pays pour la perte de colis assurés en transit originaires d'un pays qui ne participe pas à cet Arrangement, à destination de l'un des deux pays contractants.

**Parcels forwarded to a third country.**

Lorsqu'un colis avec valeur déclarée provenant d'un pays et destiné à être remis dans l'autre pays est réexpédié de là sur un tiers pays ou y est renvoyé à la demande de l'expéditeur ou du destinataire, l'ayant-droit à l'indemnité, en cas de perte, de spoliation ou d'avarie survenue subséquemment à la réexpédition ou au renvoi du colis par le pays de l'adresse primitive, ne peut prétendre, le cas échéant, qu'à l'indemnité que consent à verser ou—suivant l'entente intervenue entre les pays intéressés directement à la réexpédition ou au renvoi—que doit payer le pays où le fait s'est produit. Chacun des deux pays signataires du présent Arrangement qui réexpédie à tort un colis avec valeur déclarée sur un tiers pays, est responsable envers l'expéditeur dans la même mesure que le pays d'origine, donc dans les limites du présent Arrangement.

**Responsibility for error.**

lated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected or the maximum amount of \$100.00 (500 gold francs).

In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to the return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

In the absence of special agreement to the contrary between the countries involved, no indemnity will be paid by either country for the loss of transit insured parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.

When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country, at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obligated to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present Agreement.

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2. Les Administrations sont dégagées de toute responsabilité:

(a) En cas de colis dont les destinataires ont pris livraison sans réserves.

(b) En cas de perte ou d'avarie due à la force majeure; bien que chacune des Administrations puisse, de son gré et sans recours contre l'autre Administration, payer indemnité pour la perte ou l'avarie due à la force majeure, même si l'Administration du pays dans le service duquel la perte ou l'avarie a eu lieu reconnaît que le dommage a été causé par la force majeure.

(c) Lorsqu'elles ne sont pas à même de se rendre compte des colis à la suite de la destruction des documents officiels due à la force majeure.

(d) Lorsque le dommage s'est produit par la faute ou la négligence de l'expéditeur, du destinataire, ou du représentant de l'un ou l'autre, ou lorsqu'il est dû à la nature de l'envoi.

(e) Pour les colis qui contiennent des objets interdits.

(f) Au cas où l'expéditeur d'un colis assuré, avec intention frauduleuse, déclare le contenu avec une valeur supérieure à sa valeur réelle; cette règle ne porte préjudice à aucun poursuit judiciaire nécessité par la législation du pays d'origine.

(g) Pour les colis saisis par la douane à la suite d'une fausse déclaration de leur contenu.

(h) Lorsqu'une réclamation ou une application d'indemnité n'a pas été présentée par le réclamant ou son agent dans la période d'un an à compter du lendemain du dépôt du colis assuré.

(i) Pour les colis qui contiennent des objets sans valeur intrinsèque ou des objets périsposables, ou des objets qui ne remplissaient pas les stipulations de cet Arrangement, ou qui n'avaient pas été mis à la poste de la manière prescrite; mais le pays responsable de la perte, la spoliation ou l'avarie pourra payer indemnité du chef de tels colis sans recours contre l'autre Administration.

2. The Administrations are relieved of all responsibility.

(a) In case of parcels of which the addressee has accepted delivery without reservation.

(b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure.

(c) When they are unable to account for parcels in consequence of the destruction of official documents through force majeure.

(d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article.

(e) For parcels which contain prohibited articles.

(f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin.

(g) For parcels seized by the customs because of false declaration of contents.

(h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

(i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

Release in certain cases.

Unconditional acceptance.

Loss, etc., through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc.

Prohibited articles.

Declared above real value.

Seized, because of false declaration.

No claim made within a year.

Matter of no intrinsic value, etc.

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## Indirect loss, etc.

3. Il n'est pas payé d'indemnité pour les dommages indirects ou les bénéfices non réalisés résultant de la perte, de la spoliation, de l'avarie, de la non-livraison, de la remise à une fausse adresse ou du retard d'un colis assuré expédié d'après les conditions du présent Arrangement.

## Indemnity payment.

4. Le paiement de l'indemnité pour un colis assuré sera effectué à l'ayant-droit aussitôt que possible, et au plus tard dans le délai d'un an à compter du lendemain du jour où la réclamation est présentée.

## Deferred in exceptional cases.

Toutefois, l'Administration postale payeuse peut exceptionnellement différer le paiement de l'indemnité pour une période plus longue que celle stipulée si, à l'expiration dudit délai, elle n'a pu établir le sort de l'objet dont il s'agit ni la responsabilité encourue.

## Payment by country of origin if country of destination delays 9 months.

5. Sauf les cas où le paiement est exceptionnellement différé en conformité avec le deuxième alinéa du paragraphe précédent, l'Administration postale qui se charge du paiement de la compensation est autorisée à payer l'indemnité pour le compte de l'Office qui, ayant été dûment notifié de la demande d'indemnité, a laissé s'écouler neuf mois sans donner de solution à l'affaire.

## Country responsible.

6. L'obligation de payer l'indemnité incombe à l'Administration postale dont dépend le bureau d'origine, pourvu qu'au cas où l'indemnité est payée au destinataire selon le premier alinéa du paragraphe 1, elle incombe à l'Administration postale de destination.

## Repayment.

L'Administration payeuse se réserve le droit de soumettre une demande de remboursement à l'Administration responsable.

Par le fait du paiement de l'indemnité, et jusqu'à concurrence du montant de telle indemnité, l'Administration responsable est subrogée dans les droits de la personne qui l'a reçue, pour

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, mis-delivery or delay of an insured parcel dispatched in accordance with the conditions of the present Agreement.

4. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

However, the paying Postal Administration may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

5. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.

6. The obligation of paying the indemnity shall rest with the Postal Administration to which the mailing office is subordinate, provided that in cases where the indemnity is paid to the addressee in accordance with the second paragraph of Section 1, it shall rest with the Postal Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

By the fact of the payment of the indemnity, and up to the amount of such indemnity, the responsible Administration is subrogated to the rights of the person who has received the indem-

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tout recours éventuel, soit contre le destinataire, soit contre l'expéditeur ou contre des tiers.

Cependant, si des colis considérés comme perdus sont retrouvés, totalement ou partiellement, la personne à qui l'indemnité a été payée sera avisée qu'elle peut reprendre possession de l'envoi contre restitution du montant de l'indemnité qui lui a été payée.

7. Jusqu'à preuve du contraire, la responsabilité pour un colis assuré incombe à l'Administration qui, ayant reçu le colis sans formuler de réserves et étant mis en possession de tous les moyens réglementaires d'investigation, ne peut établir le sort du colis.

8. Lorsque la perte, la spoliation ou l'avarie d'un colis avec valeur déclarée est constatée lors de l'ouverture du récipient par le bureau d'échange réceptionnaire et a été signalée régulièrement au bureau d'échange expéditeur, la responsabilité incombe à l'Administration dont dépend ce dernier bureau, à moins qu'il ne soit prouvé que le fait s'est accompli sur le territoire de l'Administration réceptionnaire.

9. Si la perte, la spoliation ou l'avarie s'est produite en cours de transport sans qu'il soit possible d'établir sur le territoire ou dans le service de quel pays le fait s'est accompli, les Offices en cause supportent le dommage par parts égales.

10. Le pays responsable de la perte, de la spoliation ou de l'avarie et pour le compte duquel le paiement est effectué, est tenu de rembourser le montant de l'indemnité au pays ayant effectué le paiement. Ce remboursement doit avoir lieu sans retard et, au plus tard, dans le délai de 9 mois après notification du paiement.

11. Ces remboursements au pays créateur doivent être effectués sans frais pour cet Office, soit par mandat de poste, soit par traite, en monnaie ayant cours

nity for all eventual recourse against either the addressee, the sender, or third parties.

However, if parcels considered as lost are subsequently found again, in whole or in part, the person to whom the indemnity has been paid will be informed that he may regain possession of the recovered article by repaying the amount of the indemnity which has been paid to him.

7. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations, and being put in possession of all the regulation means of investigation, can not establish the disposal of the parcel.

8. When the loss, rifling or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred on the territory of the receiving Administration.

9. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the Offices involved bear the loss in equal shares.

10. The country responsible for the loss, rifling or damage, and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected the payment. This reimbursement must take place without delay, and at the latest within the period of 9 months after notification of payment.

11. These repayments to the creditor country must be made without expense for that Office, by money order or draft, in money valid in the creditor country or

Responsibility upon receiving country unable to show disposition.

Dispatching office responsible if loss discovered by receiving office.

Loss, etc., in transit.

Repayment to country paying.

Time limitation.

No expense to creditor.

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Gold basis.

Transit insured parcels.

Defects in packing, etc.

Certificate of mailing.

Furnished sender on request.

Receipt.

Return receipts and inquiries.

Fee.

dans le pays créiteur ou par tout autre procédé à convenir mutuellement par voie de correspondance.

12. Le remboursement des indemnités doit s'effectuer sur la base de la monnaie-or.

13. Sauf entente contraire entre les pays intéressés, entente qui peut intervenir par voie de correspondance, aucune indemnité ne sera payée pour la perte, la spoliation ou l'avarie de colis avec valeur déclarée en transit, c'est-à-dire pour des colis avec valeur déclarée originaires de l'un des deux pays contractants à destination de pays ne participant pas au présent Arrangement, ou pour des colis originaires d'un pays ne participant pas à cet Arrangement à destination de l'un des deux pays contractants.

14. L'expéditeur est responsable des défectuosités de l'emballage et de l'insuffisance de la fermeture et des cachets des colis avec valeur déclarée. D'autre part, les deux Administrations sont dégagées de toute responsabilité en cas de perte, de spoliation ou d'avarie causée par des défectuosités non remarquées au moment du dépôt.

### ARTICLE VIII

#### *Certificat de Dépôt. Récépissés.*

Sur demande, l'expéditeur d'un colis ordinaire peut obtenir un certificat au moment du dépôt du colis. Chaque pays a le droit de percevoir une taxe raisonnable pour tel certificat.

L'expéditeur d'un colis avec valeur déclarée recevra, sans charge, au moment de dépôt, un récépissé y relatif.

### ARTICLE IX

#### *Avis de Réception et Feuilles de Recherches.*

1. L'expéditeur d'un colis avec valeur déclarée peut obtenir un avis de réception contre paiement du droit prévu dans le pays d'origine, et dans les conditions établies par le Règlement.

in any other way to be agreed upon mutually by correspondence.

12. The reimbursement of the indemnities must be effected on the basis of gold money.

13. Barring contrary agreement between the countries concerned, which agreement may be made by correspondence, no indemnity will be paid for the loss, rifling or damage of an insured parcel in transit, i.e., for insured parcels originating in one of the two contracting countries and destined for countries not participating in the present Agreement, or for parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.

14. The sender is responsible for defects in the packing and insufficiency in the closing and the seals of insured parcels. Moreover, the two Administrations are released from all responsibility in case of loss, rifling or damage caused by defects not noticed at the time of mailing.

### ARTICLE VIII

#### *Certificate of Mailing. Receipts.*

On request, the sender of an ordinary parcel may obtain a certificate at the time of mailing the parcel. Each country has the right to collect a reasonable fee therefor.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

### ARTICLE IX

#### *Return Receipts and Inquiries.*

1. The sender of an insured parcel may obtain a return receipt upon payment of the fee provided for in the country of origin, and under the conditions laid down in the Regulations.

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2. Un droit, que l'Administration d'origine fixe à sa convenance, peut être perçu pour toute réclamation présentée après l'expédition soit d'un colis ordinaire, soit d'un colis avec valeur déclarée, à moins que l'expéditeur n'ait déjà acquitté le droit spécial pour un avis de réception.

Le pays d'origine a également la faculté de percevoir un droit lorsqu'il s'agit de redresser une irrégularité qui n'est pas imputable à la poste.

## ARTICLE X

### *Retrait et modification d'adresse.*

L'expéditeur d'un colis peut le faire retirer du service ou en faire modifier l'adresse tant que cet envoi n'a pas été remis au destinataire. Les demandes de retrait ou de modification d'adresse sont soumises aux prescriptions en vigueur dans le service intérieur des deux Administrations contractantes. Elles doivent être transmises à l'Administration centrale ou à tels autres bureaux qui pourraient être désignés par voie de correspondance.

## ARTICLE XI

### *Droits de Douane.*

1. Les colis sont soumis à toutes les prescriptions et dispositions douanières en vigueur dans le pays de destination. Les droits exigibles de ce chef sont perçus sur le destinataire lors de la remise du colis, suivant le règlement des douanes.

2. Les Administrations peuvent s'entendre spécialement par voie de correspondance pour l'échange de colis avec bulletin d'affranchissement.

## ARTICLE XII

### *Annulations des Droits de Douane.*

Si les formalités exigées par l'autorité douanière ont été remplies, les droits de douane proprement dits sont annulés, dans la République Hellénique et aux

2. A charge, which the Administration of origin fixes at its convenience, may be collected for every inquiry presented after mailing an ordinary or insured parcel, unless the sender has already paid the special fee for a return receipt.

The country of origin also has the option of collecting a fee when it is a question of correcting an irregularity which is not the fault of the postal service.

Inquiry charges.

Irregularity corrections.

## ARTICLE X

### *Return and Change of Address.*

The sender of a parcel may have it returned or have its address changed provided that it has not been delivered to the addressee. The requests for return or change of address are subject to the provisions in force in the domestic service of the two contracting Administrations. They must be sent to the Central Administration, or to such other offices as may be designated by way of correspondence.

Return and change of address.

## ARTICLE XI

### *Customs Duties.*

1. The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel, in accordance with the customs regulations.

2. The Administrations may come to a special agreement, by way of correspondence, for the exchange of parcels with prepayment bulletins.

Duties imposed by country of destination.

Prepayment arrangements.

## ARTICLE XII

### *Cancellation of Customs Duties.*

If the formalities required by the customs authorities have been fulfilled, the customs duties properly so-called are canceled, in the Hellenic Republic and the United

Cancellation, if returned or redirected.

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Etats-Unis d'Amérique, sur les colis renvoyés à l'origine ou réexpédiés sur un tiers pays.

States of America, on parcels returned to origin or reforwarded to a third country.

### ARTICLE XIII

#### *Droits de dédouanement, de factage et de magasinage.*

Customs clearance,  
delivery and storage  
charges.

1. L'Administration du pays de destination peut percevoir sur le destinataire, pour l'accomplissement des formalités en douane et la remise à domicile, un droit qui ne peut excéder 20 cents (100 centimes-or) par colis, ainsi qu'un droit supplémentaire jusqu'à concurrence de 10 cents (50 centimes-or) par colis pour chaque nouvelle présentation, lorsque la première présentation est restée infructueuse.

2. Chaque Administration est autorisée à percevoir un droit de magasinage convenable pour les colis adressés "Poste Restante" ou pour ceux qui ne sont pas retirés dans le délai qu'elle a fixé. Ce droit ne peut toutefois excéder 1 dollar (5 francs-or) par colis.

### ARTICLE XIII

#### *Customs-Clearance, Delivery and Storage Charges.*

1. The Administration of the country of destination may collect from the addressee, for the fulfillment of customs formalities and delivery at his residence, a charge not exceeding 20 cents (100 gold centimes) per parcel, as well as a supplementary charge of 10 cents (50 gold centimes) per parcel for each new presentation when the first presentation has been unsuccessful.

2. Each Administration is authorized to collect a suitable storage charge for parcels addressed "Poste Restante" or which are not withdrawn within the period which it has fixed. This charge may not, however, exceed 1 dollar (5 gold francs) per parcel.

### ARTICLE XIV

#### *Colis envoyés en fausse direction.*

Missent parcels.

Provisions for ordinary parcels.

Insured mail.

Refund, if parcel returned.

Reforwarding to a  
third country.

Les colis ordinaires envoyés en fausse direction sont réexpédiés sur leur véritable destination par la voie la plus directe dont peut disposer l'Administration réexpéditrice. Ils ne peuvent pas être frappés de droits de douane ou autres par cette Administration. Les colis avec valeur déclarée envoyés en fausse direction ne peuvent être réexpédiés que comme tels sur leur destination. En cas d'impossibilité, ils sont renvoyés à l'origine.

Lorsque la réexpédition entraîne le retour du colis au bureau d'origine, l'Administration réexpéditrice rembourse audit bureau les bonifications reçues et signale l'erreur par un Bulletin de Vérification.

Quand la réexpédition entraîne l'acheminement d'un colis à un pays tiers, et si le montant crédité à l'Administration réexpédi-

### ARTICLE XIV

#### *Missent Parcels.*

Ordinary parcels when missent are reforwarded to their true destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as such. If this is impossible, they are returned to origin.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting

trice est insuffisant pour couvrir les frais de la réexpédition qu'elle doit payer, l'Administration réexpéditrice alloue à l'Administration sur laquelle elle réexpédie le colis les bonifications qui sont dues à celle-ci; ensuite elle recouvre le montant de l'insuffisance en le réclamant du bureau d'échange duquel le colis en fausse direction a été reçu. La raison de cette réclamation est notified au dit bureau d'échange au moyen d'un bulletin de vérification.

#### ARTICLE XV

##### *Réexpédition.*

1. Un colis peut être réexpédié à la suite du changement d'adresse du destinataire dans le pays de destination, sur la demande soit de l'expéditeur soit du destinataire.

La réexpédition d'un colis dans l'intérieur d'un des pays contractants donne lieu à la perception des taxes supplémentaires prévues par l'Administration de ce pays. Il en est de même, le cas échéant, en ce qui concerne la remise de ce colis à une autre personne au lieu de destination primitif. Ces taxes ne seront pas annulées, même au cas où le colis est renvoyé à l'origine ou réexpédié sur un autre pays.

2. Si un colis doit être réexpédié sur un des deux pays signataires du présent Arrangement, il est possible des nouvelles taxes de transport, et, le cas échéant, de la taxe à la valeur, à moins que ces taxes n'aient pas été payées d'avance. Les nouveaux droits sont perçus sur le destinataire par l'Administration qui effectue la remise. Les colis avec valeur déclarée doivent être réexpédiés comme tels.

3. Sur demande de l'expéditeur ou du destinataire, les colis peuvent aussi être réexpédiés sur un autre pays ou y être renvoyés. Les colis avec valeur déclarée ne peuvent cependant être réexpédiés ou renvoyés que comme tels. Les expéditeurs peuvent

Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

#### ARTICLE XV

##### *Reforwarding.*

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

The reforwarding of a parcel within one of the contracting countries gives rise to the collection of the supplementary charges provided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. If a parcel must be reforwarded to one of the two countries signatory to the present Agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a

Redirection allowed.

Additional charges.

Forwarding, etc., to  
another country.

Forbidden, if so in-  
structed.

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*Ante*, p. 1597.

revêtir les colis de la mention "Ne pas réexpédier sur un tiers pays." Dans ce cas, les colis ne doivent être réexpédiés sur aucun autre pays. En cas de perte, de spoliation ou d'avarie d'un colis avec valeur déclarée réexpédié sur un tiers pays ou renvoyé par ce pays, l'indemnité est déterminée exclusivement d'après les dispositions de l'Article VII, Paragraph 1, 5ième alinéa, du présent Arrangement.

## ARTICLE XVI.

### Non-delivery.

#### Provisions governing.

#### Requests allowed.

#### Marks.

#### Time for returning undeliverable parcels.

third country". In that case, the parcels must not be reforwarded to any other country. In case of loss, rifling or damage of an insured parcel reforwarded to another country or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article VII, Section 1, 5th paragraph.

## ARTICLE XVI.

### Non-Delivery.

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender, and are collected by the Administration delivering the parcels to him.

2. At the time of mailing, the sender may request, in the event of non-delivery:

(a) that the parcel be returned to him immediately,

(b) that it be considered as abandoned; or,

(c) that it be delivered to another person in the country of destination.

If the sender makes use of this option, he must mark the parcel and the dispatch note with one of the following notes:

"In case of non-delivery, the parcel should be returned immediately";

"In case of non-delivery, the parcel should be considered as abandoned";

"In case of non-delivery, the parcel should be delivered to \_\_\_\_".

No note other than those provided for above is permitted.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be

1. Les colis tombés en rebut, renvoyés à l'expéditeur, sont passibles des nouveaux frais de transport, ainsi que, le cas échéant, de la taxe à la valeur, et sont renvoyés comme colis de la même catégorie qu'à l'aller. Les taxes sont exigibles de l'expéditeur et perçues par l'Administration qui lui rend les colis.

2. Au moment du dépôt, l'expéditeur peut demander, pour le cas de non-remise:

(a) que le colis lui soit immédiatement renvoyé,

(b) qu'il soit considéré comme abandonné,

(c) qu'il soit remis à une autre personne dans le pays de destination.

Si l'expéditeur use de cette faculté, il doit revêtir le colis et le bulletin d'expédition d'une des mentions suivantes:

"En cas de non-remise, le colis doit être renvoyé immédiatement";

"En cas de non-remise, le colis doit être considéré comme abandonné";

"En cas de non-remise, le colis doit être délivré à \_\_\_\_".

Aucune mention autre que celles prévues ci-dessus n'est admise.

3. Sauf disposition contraire, les colis tombés en rebut sont renvoyés à l'origine sans avis préalable 30 jours après leur arrivée au bureau de destination. Les colis que le destinataire refuse d'accepter doivent être renvoyés im-

mediatémat. Dans tous les cas, le motif de la non-remise doit être indiqué sur le colis ainsi que sur le bulletin d'expédition.

4. Les colis sujets à détérioration ou à corruption peuvent être vendus immédiatement, même en route, à l'aller ou au retour, sans avis préalable, et sans formalité judiciaire, au profit de qui de droit.

Si, pour une cause quelconque, la vente est impossible, les objets détériorés ou corrompus sont détruits. La vente ou la destruction donne lieu à l'établissement d'un procès-verbal qui est envoyé à l'Administration d'origine.

5. Les colis tombés en rebut dont l'expéditeur a fait abandon, peuvent, à l'expiration du délai de 30 jours, être vendus au profit de l'Administration du pays de destination. Toutefois, s'il s'agit d'un colis avec valeur déclarée, il est dressé un procès-verbal qui doit être envoyé à l'Administration du pays d'origine. De même, l'Administration du pays d'origine doit être avisée, lorsqu'un colis avec valeur déclarée tombé en rebut, n'est pas renvoyé à l'origine.

6. Les stipulations de l'Article XVII, Paragraphe 3, s'appliqueront à un colis qui est retourné à la suite de non-livraison.

## ARTICLE XVII

### *Bonification des taxes.*

1. Pour chaque colis échangé entre les pays contractants, l'Office expéditeur bonifie à l'Office destinataire les quotes-parts revenant à ce dernier, et indiquées dans le Règlement d'exécution.

2. Les sommes à bonifier pour un colis en transit, c'est-à-dire à destination soit d'une possession, soit d'un tiers pays, sont indiquées de même dans le Règlement d'exécution.

3. En cas de réexpédition ou retour à l'origine d'un colis, si des nouvelles taxes d'affranchissement, et, s'il s'agit de colis as-

returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel and on the dispatch note.

4. Parcels liable to deterioration or corruption may be sold immediately, even enroute on the outward or return voyage, without previous notice and without judicial formality, for the profit of the rightful party.

If, for any reason, sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administration of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

6. The provisions of Article XVII, Section 3 shall be applied to a parcel which is returned in consequence of non-delivery.

## ARTICLE XVII

### *Charges.*

*Charges.*

*Exchange credits.*

*Post.*, p. 1618.

*Transit credits.*

*Reforwarding, etc.*

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination the quotas due to the latter, and indicated in the Regulations of Execution.

2. The sums to be paid for a parcel in transit, i.e., destined either for a possession or for a third country, are likewise indicated in the Regulations of Execution.

3. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured par-

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surés, des nouveaux droits d'assurance, sont perçus par l'Office réexpéditeur, le colis est traité comme s'il avait originé dans ce pays. Autrement, l'Office réexpéditeur recouvre de l'autre Office la quote-part qui lui est due, c'est-à-dire, suivant le cas:

- (a) les taxes prescrites par le paragraphe 1 ci-dessus;
- (b) les taxes de réexpédition ou retour.

**Parcels to a third country.**

En cas de réexpédition ou retour à un tiers pays, les frais totaux, à savoir, celles des taxes mentionées sous (a) et (b) ci-dessus qui sont applicables, suivront le colis, mais au cas où le pays tiers intéressé refuse d'assumer les frais parce qu'ils ne peuvent être perçus du destinataire ou de l'expéditeur, suivant le cas, ou pour une autre raison quelconque, ils seront portés de nouveau à la charge du pays d'origine.

Au cas d'un colis renvoyé ou réexpédié en transit à travers de l'une Administration sur l'autre, l'Administration intermédiaire pourra exiger aussi la somme qui lui est due pour tout autre service territorial ou maritime effectué, ainsi que tous montants dûs à une autre ou des autres Administrations quelconques qui sont intéressées.

**ARTICLE XVIII***Colis-Avion.***Air parcels.**

Les Chefs des Administrations Postales des deux pays contractants ont le droit de fixer, d'un commun accord, la surtaxe aérienne et les autres conditions, au cas où les colis sont transportés par voie aérienne.

**ARTICLE XIX***Suspension Temporaire du Service.***Temporary suspension of service.**

Lorsque des circonstances extraordinaires justifient la mesure, l'une ou l'autre des Administrations peut suspendre le service des colis postaux temporairement et d'une manière générale ou partielle, pourvu qu'elle

cels) are collected by the redispaching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispaching Office recovers from the other Office the quota due to it, namely, as the case may be:

- (a) the charges prescribed by Section 1 above;
- (b) the charges for reforwarding or return.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a) and (b) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

**ARTICLE XVIII***Air Parcels.*

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by the air routes.

**ARTICLE XIX***Temporary Suspension of Service.*

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel post service, either entirely or partially, on condition of giving immediate notice, if necessary by

en donne immédiatement avis à l'autre Administration, au besoin par télégraphe.

telegraph, to the other Administration.

## ARTICLE XX

*Dispositions non prévues par le Présent Arrangement.*

1. À moins qu'elles ne soient réglées par le présent Arrangement toutes les questions concernant les demandes de retrait ou de renvoi des colis, et l'établissement et le renvoi des avis de réception et le règlement des demandes d'indemnité pour les colis assurés, seront traitées suivant les dispositions de la Convention postale universelle et de son Règlement d'exécution, en tant que celles-ci sont applicables et ne sont pas contraires à celles qui précèdent. Si le cas n'est prévu nulle part, la législation interne des Etats-Unis d'Amérique ou de la République Hellénique, ou les décisions prises par l'un ou l'autre des pays, sont applicables dans le pays respectif.

2. Les détails relatifs à l'application du présent Arrangement seront fixés par les deux Administrations dans un Règlement d'exécution dont les dispositions pourront être modifiées ou complétées d'un commun accord par voie de correspondance. Un même accord par voie de correspondance pourra intervenir en vue de l'échange de colis contre remboursement.

3. Les deux Administrations se notifient mutuellement leurs lois, ordonnances et tarifs concernant l'échange des colis postaux, ainsi que toutes les modifications de taxes qui y seraient introduites dans la suite.

## ARTICLE XXI

*Durée de l'Arrangement.*

1. Le présent Arrangement, qui remplace et abroge celui signé à Athènes, le 28 Mai/10 Juin et à Washington, le 8 Juillet, 1913, entrera en vigueur après avoir été ratifié par les parties contractantes.

## ARTICLE XX

*Matters not Provided for in the Present Agreement.* Matters not provided for.

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or return of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, insofar as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States of America or of the Hellenic Republic, or the decisions made by one country or the other, are applicable in the respective country. Application of other conventions.

Vol. 46, p. 2523.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of C.O.D. parcels. Further provisions authorized.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made. Exchange of regulations, etc.

## ARTICLE XXI

*Duration of the Agreement.*

Duration of Agreement.

1. The present Agreement, which replaces and abrogates that signed at Athens, May 28/June 10 and at Washington, July 8, 1913, will enter into force after having been ratified by the contracting parties. Prior agreement abrogated. Vol. 38, p. 1744, repealed.

Effective date.

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**Provisional application.**

Toutefois, il est loisible aux deux Administrations de l'appliquer provisoirement dès le 1er Juin, 1933.

**Duration.**

2. Il déployera ses effets aussi longtemps qu'il n'aura pas été dénoncé 6 mois à l'avance par l'une ou l'autre des deux Administrations.

**Insured parcel restriction.**

Chacune des deux Administrations est autorisée à supprimer totalement ou partiellement le service des colis avec valeur déclarée ou à le restreindre à quelques bureaux, si des motifs spéciaux nécessitaient cette mesure et sous la réserve d'en informer préalablement l'autre Administration. Le cas échéant, la notification doit en être faite par la voie la plus rapide.

**Signatures.**

Fait en double expédition et signé à Washington, le 1<sup>er</sup> Août, et à Athènes, le 14 Juillet 1933.

*Le Directeur Général des Postes,  
Télégraphes et Téléphones de  
la République Hellénique.*

[SEAL] C THEOFANOPoulos

**Approved by the President.**

The foregoing Parcel Post Agreement between the United States of America and the Hellenic Republic has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

WASHINGTON, August 8, 1933.

However, it is permissible for the two Administrations to apply it provisionally from June 1, 1933.

2. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Each of the two Administrations is authorized to discontinue, totally or partially, the service of insured parcels or to restrict it to certain offices, if special reasons make that measure necessary, on the condition that the other Administration is so advised in advance. If need be, the notification thereof must be by the most rapid means.

Done in duplicate and signed at Washington, the first day of August and at Athens, the 14th day of July, 1933.

[SEAL] JAMES A FARLEY  
*The Postmaster General  
of the  
United States of America.*

July 14, 1933.  
August 1, 1933.

Règlement d'Exécution  
 de l'Arrangement concernant l'Échange  
 des Colis Postaux  
 conclu entre  
 la République Hellénique  
 et  
 les États-Unis d'Amérique.

Regulations of Execution  
 for the Agreement concerning the Exchange  
 of Parcel Post  
 concluded between  
 the Hellenic Republic  
 and  
 the United States of America.

Regulations of Execution.

## ARTICLE 1

*Conditionnement des Colis.*

1. Le nom et l'adresse de l'expéditeur et du destinataire doivent être écrits d'une façon lisible et exacte, si possible sur le colis même ou sur une étiquette fixée solidement à l'envoi.

Il est recommandé d'insérer un double de l'adresse dans chaque colis, surtout lorsque l'usage d'une étiquette volante est rendu nécessaire par le conditionnement ou par la forme de l'envoi.

Les colis dont l'adresse de l'expéditeur ou du destinataire consiste en initiales seulement ne sont pas admis, exception faite des désignations commerciales (raisons sociales) composées d'initiales.

Les adresses au crayon ne sont pas admises. Sont toutefois acceptées les adresses écrites au crayon-encre, sur un fond préalablement mouillé.

2. Les colis contenant des espèces monnayées, de l'or ou de l'argent en barres, des pierreries ou autres matières précieuses doivent toujours être expédiés avec déclaration de valeur.

Lorsqu'un colis contenant des objets de l'espèce est expédié sans déclaration de valeur, l'office postal qui remarque l'erreur en premier lieu est tenu de le traiter comme colis avec valeur déclarée et d'après les dispositions de son pays.

3. Chaque colis doit être emballé de manière que le contenu soit préservé pendant toute la durée du transport, et de façon

## ARTICLE 1

*Preparation of Parcels.*

1. The name and address of the sender and of the addressee must be written, legibly and correctly, if possible on the parcel itself, or on a label affixed securely to the parcel.

It is recommended that a duplicate of the address be inserted in every parcel, especially when the use of a tag is rendered necessary by the packing or form of the parcel.

Parcels on which the name of the sender or of the addressee is indicated merely by initials are not admitted, except in the case of commercial designations (trade names) composed of initials.

Addresses in pencil are not admitted. However, addresses written in indelible pencil on a previously dampened surface are accepted.

2. Parcels containing coins, gold or silver in bars, precious stones, or other precious articles, must always be sent insured.

When a parcel containing coin, gold or silver in bars, precious stones or other precious articles is sent uninsured through error, the post office first discovering it is bound to treat it as an insured parcel, and in accordance with the legislation of its country.

3. Each parcel must be packed in such a manner that the contents are protected over the whole route, and in such a way as to

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à empêcher le contenu d'endomager des autres colis ou envois, ou blesser les agents postaux. L'emballage doit protéger le contenu suffisamment afin que les traces soient faciles à découvrir en cas de spoliation. Les colis avec valeur déclarée doivent être scellés par des cachets à la cire, par des plombs ou par un autre moyen équivalent. Pour les colis ordinaires, un ficelage soigneux suffit comme moyen de fermeture, mais ils peuvent aussi être scellés.

Comme mesure de sécurité, chaque Administration peut exiger qu'une empreinte ou marque spéciale de l'expéditeur figure sur les plombs ou cachets de fermeture des colis avec valeur déclarée.

L'Administration des douanes du pays de destination est autorisée à ouvrir les colis. A cet effet, les cachets ou toute autre fermeture peuvent être brisés ou rompus. Les envois ouverts par la douane doivent être refermés et, en outre, scellés d'office, si l'expéditeur les avait scellés.

4. Pour les colis avec valeur déclarée, le montant de la valeur déclarée doit figurer sur le colis, exprimé dans la monnaie du pays d'origine, en caractères latins. Ce montant doit être converti en francs-or par l'expéditeur ou par le bureau d'origine, et le résultat de la conversion est ajouté au-dessous de l'indication originale. Le montant de la valeur assurée doit aussi être indiqué sur le bulletin d'expédition.

5. Chaque colis avec valeur déclaré doit porter du côté de l'adresse un numéro (insurance number) et l'indication "insured" ou "valeur déclarée". Le même numéro d'assurance et la même annotation doivent également figurer sur le bulletin d'expédition.

6. Les étiquettes ou timbres-poste apposés sur les colis avec valeur déclarée doivent être espacés afin qu'ils ne puissent servir à cacher des lésions de l'emballage. Ils ne doivent pas, non plus, être repliés sur deux faces de l'emballage, de manière à couvrir la bordure.

prevent the contents from damaging other parcels or objects or injuring postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered. Insured parcels must be sealed with wax or lead or by some equivalent means. For ordinary parcels, careful tying is sufficient as a mode of closing, but they may also be sealed.

As a protective measure, either Administration may require that a special imprint or mark of the sender appear on the wax or lead seals closing insured parcels.

The Customs Administration of the country of destination is authorized to open the parcels. To that end, the seals or any other fastenings may be broken. Parcels opened by the customs must be refastened and also officially sealed, if the sender has sealed them.

4. For insured parcels, the amount of insured value must appear on the parcel in the currency of the country of origin and in Roman letters. This amount must be converted into gold francs by the sender or by the office of origin, and the result of the conversion is added below the original indication. The amount of the insured value must also be indicated on the dispatch note.

5. Each insured parcel must bear on the address side an insurance number and the notation "Insured" or "Valeur declaree". The same insurance number and notation must also be shown on the dispatch note.

6. The labels or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither must they be folded over two faces of the wrapping so as to cover the edge.

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7. Les liquides et les corps facilement liquefiable doivent être expédiés dans un double récipient. Entre le premier (bouteille, flacon, boîte, etc.) et le second (boîte en métal, en bois résistant, en fibre de solide qualité ou récipient de résistance équivalente), une espace doit être laissée qui sera remplie de sciure, de son ou de toute autre matière spongieuse, en quantité suffisante pour absorber tout le liquide en cas de bris du récipient.

8. Les poudres et les matières colorantes en poudre doivent être emballées dans de fortes boîtes en fer-blanc ou autre métal, qui, après avoir été soudées, seront placées à leur tour dans des emballages extérieurs résistants de manière à exclure tout endommagement d'autres envois.

## ARTICLE 2.

*Déclarations en douane et Bulletins d'expédition.*

1. L'expéditeur doit préparer une déclaration en douane et un bulletin d'expédition pour chaque colis expédié de l'un ou l'autre pays, sur des formules spéciales fournies à cet effet par le pays d'origine.

La déclaration en douane doit fournir une description générale du colis, une liste exacte et détaillée de son contenu et de sa valeur, la date de sa mise à la poste, le poids réel, le nom et l'adresse de l'expéditeur, et le nom et l'adresse du destinataire; et elle sera attachée solidement au colis.

Le bulletin d'expédition doit indiquer le bureau d'origine, le nom et l'adresse de l'expéditeur, le nombre de déclarations en douane, le poids du colis, le port payé, le nom et l'adresse du destinataire, et le bureau de destination; et il sera attaché solidement au colis.

Toutefois, par exception à ce qui précède, lorsque plus d'un colis non assuré est déposé simultanément par le même expéditeur à l'adresse du même destinataire,

7. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, or strong carton of fiberboard, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case that the receptacle is broken.

8. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

## ARTICLE 2.

*Customs Declarations and Dispatch Notes.*

1. The sender shall prepare one customs declaration and one dispatch note for each parcel sent from either country, upon special forms provided for the purpose by the country of origin.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, actual weight, the sender's name and address and the name and address of the addressee, and shall be securely attached to the parcel.

The dispatch note shall show the office of mailing, the name and address of the sender, the number of customs declarations, the weight of the parcel, the postage paid, the name and address of the addressee, and the office of destination and shall be securely attached to the parcel.

However, as an exception to the foregoing, when more than one uninsured parcel is mailed simultaneously by the same sender to the same addressee at the same

Customs declarations, etc.

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l'expéditeur ne doit nécessairement préparer qu'une déclaration en douane et un bulletin d'expédition pour chaque lot de trois colis au maximum originaires de la République Hellénique; ou deux déclarations en douane et un bulletin d'expédition pour chaque lot de trois colis au maximum originaires des États-Unis d'Amérique. Telles déclarations en douane et tels bulletins d'expédition doivent indiquer, outre les détails prévus aux deux alinéas précédents, le nombre total de colis constituant le lot entier; et ils seront attachés solidement à l'un des colis. Dans de tels cas, chaque colis d'un groupe doit être numéroté 1, 2 ou 3, à titre de numéros d'identification; et lorsque plus de trois colis sont envoyés simultanément chaque groupe est désignée par une lettre (a, b, c, etc.); pour exemple, lorsqu'il y a deux groupes de trois colis chacune, les colis doivent être marqués "a-1", "a-2" et "a-3"; et "b-1", "b-2" et "b-3".

2. Les Administrations n'acceptent aucune responsabilité pour l'exactitude des déclarations en douane ni des bulletins d'expédition.

### ARTICLE 3

#### *Avis de réception.*

*Return receipts.*

1. Quant à un colis pour lequel un avis de réception est demandé, le bureau d'origine fait figurer sur le colis les lettres ou les mots "A. R.", ou "Avis de réception". Le bureau d'origine, ou un autre bureau quelconque désigné par l'Administration expéditrice, doit remplir une formule d'avis de réception et l'attacher au colis. Si la formule ne parvient pas au bureau de destination, celui-ci prépare un duplicata.

2. Le bureau de destination, après avoir dûment rempli la formule d'avis de réception, la renvoie en franchise de port à l'adresse de l'expéditeur du colis.

3. Lorsque l'expéditeur demande un avis de réception postérieurement au dépôt du colis, le bureau d'origine remplit régulièrement

address, the sender need prepare only one customs declaration and one dispatch note for each lot of not more than three parcels sent from the Hellenic Republic and two customs declarations and one dispatch note in the case of each lot of not more than three parcels sent from the United States of America, which customs declarations and dispatch notes shall show, in addition to the particulars set forth in the preceding two paragraphs, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. In such case, each parcel in a group must be numbered 1, 2 or 3, as identification numbers, and when more than 3 parcels are sent at the same time each group is indicated by a letter (a, b, c, etc.); for example, when there are 2 groups of 3 parcels each, the parcels shall be marked "a-1", "a-2" and "a-3" and "b-1", "b-2" and "b-3".

2. The Administrations accept no responsibility for the correctness of the customs declarations or dispatch notes.

### ARTICLE 3

#### *Return Receipts.*

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Avis de reception". The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt

lièrement une formule d'avis de réception tout en y attachant une formule de réclamation pourvue des détails relatifs à l'expédition du colis, et la transmet au bureau de destination du colis. En cas de livraison régulière du colis, le bureau de destination retire la formule de réclamation, et l'avis de réception est traité de la manière prescrite au paragraphe précédent.

#### ARTICLE 4

##### *Récipients.*

1. Chaque Administration pourvoit à l'acquisition des sacs nécessaires pour l'expédition de ses colis. Chaque sac doit être marqué de façon à indiquer le nom du bureau ou du pays auquel il appartient. Les sacs vides doivent être renvoyés au pays d'origine par le prochain courrier.

2. Il y a lieu d'indiquer sur la feuille de route tant le nombre de sacs utilisés pour la confection de la dépêche que celui des sacs vides en retour. À l'aide de ces indications, chaque Administration exerce un contrôle sur la rentrée des récipients qui lui appartiennent. Au cas où ce contrôle démontrerait que le 10% du nombre total des sacs utilisés pendant une année n'a pas été renvoyé, la valeur des sacs manquants doit être remboursée à l'office expéditeur.

#### ARTICLE 5

##### *Échange des colis.*

1. Les colis sont échangés dans des sacs clos au moyen de cachets ou de plombs, entre les bureaux désignés par les Administrations. Ils sont transmis au pays de destination aux frais du pays d'origine et de la manière qui convient à ce dernier.

Le poids de chaque sac ne doit pas dépasser 40 kilogrammes.

2. Les colis assurés seront compris dans des sacs à part de ceux

form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

#### ARTICLE 4

##### *Receptacles.*

1. Each Administration provides itself with the necessary sacks for the exchange of its parcels. Each bag shall be marked to show the name of the office or country to which it belongs. The empty sacks must be returned to the country of origin by the next mail.

2. It is necessary to indicate in the parcel bill both the number of sacks used for the preparation of the dispatch and the number of empty sacks returned. With the aid of these indications, each Administration exercises a control over the return of the receptacles belonging to it. In case that this control shows that 10% of the total number of sacks used during a year have not been returned, the value of the missing sacks must be repaid to the dispatching office.

#### ARTICLE 5

##### *Exchange of Parcels.*

1. The parcels are exchanged in sacks closed by means of wax or lead seals, between the offices designated by the Administrations. They are transmitted to the country of destination at the expense of the country of origin and in a manner convenient to the latter.

The weight of each sack must not exceed 40 kilograms.

2. Insured parcels shall be enclosed in separate sacks from

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dans lesquels les colis ordinaires sont insérés, et les étiquettes des sacs qui contiennent les colis assurés doivent être marquées avec tels symboles distinctifs qui seraient adoptés de temps en temps.

#### ARTICLE 6

##### *Inscription des colis.*

###### **Billing.**

1. Il doit être établi des feuilles de route distinctes pour les colis ordinaires, d'une part, et pour les colis avec valeur déclarée, d'autre part.

Les feuilles de route sont établies en double exemplaire. L'originale est expédié par la poste aux lettres, tandis que le duplicata est inséré dans l'un des sacs. Le sac renfermant la feuille de route est désigné par la lettre "F" tracée d'une manière apparente sur l'étiquette.

2. Les colis ordinaires compris dans chaque dépêche à destination de la République Hellénique sont inscrits en bloc sur les feuilles de route, mais par catégories d'envois jusqu'à 1 kilogramme, de 1 à 5 kilogrammes, et de 5 à 10 kilogrammes.

Les colis ordinaires compris dans chaque dépêche à destination des États-Unis d'Amérique sont inscrits sur les feuilles de route par la seule mention du nombre total des colis et de leur poids net total.

3. Les colis avec valeur déclarée sont inscrits isolément sur les feuilles de route, avec indication du numéro (insurance number) et du nom du bureau d'origine.

Pour les colis avec valeur déclarée à destination de la République Hellénique, les feuilles de route doivent porter aussi l'indication de la coupure de poids à laquelle les colis appartiennent.

Pour les colis avec valeur déclarée à destination des États-Unis d'Amérique, les feuilles de route doivent porter, en outre, l'indication du poids net total des colis.

those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

#### ARTICLE 6

##### *Billing of Parcels.*

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand.

The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

2. The ordinary parcels included in each dispatch sent to the Hellenique Republic are to be entered on the parcel bills in bulk, but by classes of parcels up to 1 kilogram, from 1 to 5 kilograms, and from 5 to 10 kilograms.

The ordinary parcels included in each dispatch sent to the United States of America are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin.

In the case of insured parcels for the Hellenic Republic, the parcel bills must also show the indication of the division of weight to which the parcel belongs.

In the case of insured parcels for the United States of America, the parcel bills must also show the total net weight of the parcels.

4. Les colis transmis à découvert doivent être inscrits séparément sur les feuilles de route.

5. Les colis retournés ou réexpédiés doivent être inscrits isolément sur les feuilles de route et être suivis du mot "Retourné" ou "Réexpédié", selon le cas. Une indication de frais dus pour ces colis doit figurer dans la colonne "Observations".

6. Le nombre total des sacs compris dans chaque dépêche doit aussi figurer sur les feuilles de route.

7. Chaque bureau d'échange expéditeur numérote les feuilles de route à l'angle gauche supérieur d'après une série annuelle. Le dernier numéro de l'année précédente doit être mentionné sur la première feuille de la nouvelle année.

8. La mode exacte d'avis des colis ou des récipients les contenant expédiés par l'une des Administrations en transit par l'autre, ainsi que tous les détails en connexion avec la manière d'avoir de tels colis ou récipients non prévus par cet Arrangement, sera réglée d'un commun accord par voie de correspondance entre les deux Administrations.

4. Parcels sent a découvert must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

7. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual agreement through correspondence between the two Administrations.

#### ARTICLE 7.

##### *Vérification par les bureaux d'échange.*

1. À la réception d'une dépêche, le bureau d'échange destinataire procède à sa vérification. Les inscriptions sur la feuille de route doivent être vérifiées exactement. Chaque erreur ou omission doit être portée immédiatement à la connaissance du bureau d'échange expéditeur au moyen d'un bulletin de vérification. Une dépêche est considérée comme ayant été trouvée en ordre à tous égards, lorsqu'il n'est pas dressé de bulletin de vérification.

Si l'on constate une erreur ou une irrégularité à la réception d'une dépêche, toutes les pièces pouvant servir de preuves à

#### ARTICLE 7.

##### *Verification by the Exchange Office.*

1. Upon the receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If an error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for exam-

Verification.

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l'appui en vue de recherches ultérieures ou de l'examen de demandes d'indemnité doivent être conservées.

2. Le bureau d'échange expéditeur auquel un bulletin de vérification est envoyé doit le renvoyer après l'avoir examiné et y apporté ses observations éventuelles. Ce bulletin est alors annexé aux feuilles de route des colis auxquelles il se rapporte. Les corrections apportées à une feuille de route qui ne sont pas appuyées par des documents sont considérées comme nulles et non avenues.

3. Si nécessaire, le bureau d'échange expéditeur peut de même être avisé par télégramme, aux frais de l'Office expéditeur de tel télégramme.

4. En cas de manque d'une feuille de route, il en est établi un duplicata dont une copie est envoyée au bureau d'échange expéditeur de la dépêche.

5. Le bureau d'échange qui reçoit d'un bureau correspondant un colis qui se trouve endommagé ou insuffisamment emballé doit réexpédier tel colis après remballage s'il est nécessaire, tout en préservant l'emballage original autant que possible.

Si le dommage est tel que le contenu du colis aurait pu être soustrait, le bureau doit d'abord ouvrir le colis d'office et en vérifier le contenu.

Dans l'un ou l'autre cas, le poids du colis sera vérifié avant et après le remballage, et indiqué sur l'emballage du colis même. Cette indication sera suivie par la note "Remballé à . . . (Repacked at . . .)" ainsi que la signature des agents ayant effectué tel remballage.

## ARTICLE 8

### *Bonification des quotes-parts.*

**Payments.**

*Ante*, p. 1607.

1. Les quotes-parts terminales à bonifier par l'Office expéditeur à l'Office destinataire, en vertu de l'Article XVII, paragraphe 1, de l'Arrangement, sont les suivantes:

ination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the Office sending such telegram.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must rediscuss such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Remballé à . . . (Repacked at . . .)", and the signature of the agents who have effected such repacking.

## ARTICLE 8

### *Payments.*

1. The terminal quotas to be credited by the dispatching Office to the Office of destination, by virtue of Article XVII, Section 1, of the Agreement, are the following:

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*I. Par la République Hellénique aux États-Unis d'Amérique:*

70 centimes-or par kilogramme, sur la base du poids net en bloc (bulk net weight) de chaque dépêche.

Cette taxe s'applique aussi aux colis à destination de l'Alaska. Elle est réduite à 35 centimes-or par kilogramme pour les colis à destination de Puerto Rico, des îles Vierges, de Guam, de Samoa, et de Hawaï.

*II. Par les États-Unis d'Amérique à la République Hellénique:*

*Taxe par colis:*

Jusqu'à 1 kg-----	60 cm. or
Au delà de 1 kg. jusqu'à 5 kg-----	1.75 fr. or
Au delà de 5 kg. jusqu'à 10 kg-----	2.75 " "

En outre, pour les colis assurés expédiés de l'un des pays sur l'autre, il sera bonifié une quote-part terminale d'assurance de 10 centimes-or par colis.

2. Les quotes-parts à bonifier pour les colis expédiés par une Administration à l'autre, un vue de leur transmission ultérieure à une possession ou à un pays tiers, seront fixées par l'Administration intermédiaire.

3. Les taxes terminales et de transit susmentionnées peuvent être réduites ou majorées, moyennant avertissement donné trois mois à l'avance par l'un pays à l'autre. La réduction ou majoration sera valable pour un an au moins.

**ARTICLE 9**

*Décompte.*

1. À la fin de chaque trimestre, chaque Administration établit un compte sur la base des feuilles de route.

2. Ces comptes, accompagnés des feuilles de route et, le cas échéant, des copies des bulletins de vérification s'y rapportant, doivent être soumis à l'examen de l'Administration correspondante dans le courant du mois qui suit le trimestre auquel ils se rapportent.

*I. By the Hellenic Republic to the United States of America:* By the Hellenic Republic.

70 gold centimes per kilogram, based on the bulk net weight of each dispatch.

This rate applies also to parcels for Alaska. The rate is reduced to 35 gold centimes per kilogram for parcels for Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii.

*II. By the United States of America to the Hellenic Republic:* By the United States of America.

*Rate per parcel:*

Up to 1 kg-----	60 gold cm.
From 1 up to 5 kg-----	1.75 " fr.
From 5 up to 10 kg-----	2.75 " fr.

In addition, in the case of insured parcels sent from either country to the other, there shall be paid a terminal insurance credit of 10 centimes gold per parcel.

2. The quotas to be credited for parcels dispatched by one Administration to the other for subsequent transmission to a possession or to a third country will be fixed by the intermediate Administration.

3. The terminal charges and transit rates above specified may be reduced or increased on three months' previous notice given by one country to the other. The reduction or increase shall hold good for at least one year.

**ARTICLE 9**

*Accounting.*

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

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3. La récapitulation, l'envoi, l'examen et l'acceptation de ces comptes ne doivent pas être retardés et le règlement du solde aura lieu, au plus tard, à l'expiration du trimestre suivant.

4. Le solde résultant de la balance des comptes entre les deux Administrations est payé par traite à vue, tirée sur New York ou par un autre moyen convenu réciproquement par voie de correspondance. Les frais de paiement sont à la charge de l'Administration débitrice.

#### ARTICLE 10

##### *Notifications Diverses.*

Miscellaneous notifications.

Les Administrations se communiqueront mutuellement un résumé des dispositions de leurs lois ou règlements applicables aux colis échangés entre les deux pays contractants, ainsi que tous les autres détails nécessaires pour l'exécution de l'échange des colis.

Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement concernant l'Échange des Colis Postaux, et aura la même durée que cet Arrangement.

Fait en double expédition et signé à Washington, le 1<sup>er</sup> Août, et à Athènes, le 14 Juillet 1933.

*Le Directeur Général des Postes,  
Télégraphes et Téléphones de la  
République Hellénique.*

C. THEOFANOPoulos

Approval of Regulations.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and the Hellenic Republic have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President  
CORDELL HULL  
*Secretary of State.*  
WASHINGTON, August 8, 1933.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place, at the latest, at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

#### ARTICLE 10

##### *Miscellaneous Notifications.*

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Done in duplicate and signed at Washington, the first day of August and at Athens, the 14<sup>th</sup> day of July, 1933.

[SEAL] JAMES A FARLEY  
*The Postmaster General  
of the United States of America.*

*Convention between the United States of America and Mexico for the Rectification of the Rio Grande. Signed at Mexico City, February 1, 1933; ratification advised by the Senate of the United States, with amendment, April 25, 1933; ratified by the President of the United States, October 20, 1933; ratified by Mexico, October 6, 1933; ratifications exchanged at Washington, November 10, 1933; proclaimed by the President of the United States, November 13, 1933; and exchanges of notes.*

February 1, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention between the United States of America and the United Mexican States for the rectification of the Rio Grande in the El Paso-Juarez Valley was concluded and signed by their respective plenipotentiaries at the city of Mexico on the first day of February, one thousand nine hundred and thirty-three, the original of which convention, being in the English and Spanish languages, is, as amended by the Senate of the United States of America, word for word as follows:

Rectification of the  
Rio Grande.

CONVENTION BETWEEN THE  
UNITED STATES OF AMERICA  
AND THE UNITED MEXICAN  
STATES FOR THE RECTIFI-  
CATION OF THE RIO GRANDE  
(RIO BRAVO DEL NORTE) IN  
THE EL PASO-JUAREZ VALLEY.

CONVENCION ENTRE LOS ES-  
TADOS UNIDOS DE AMERICA Y  
LOS ESTADOS UNIDOS MEXI-  
CANOS PARA LA RECTIFI-  
CACION DEL RIO GRANDE  
(BRAVO DEL NORTE) EN EL  
VALLE DE EL PASO-JUAREZ.

The United States of America and the United Mexican States having taken into consideration the studies and engineering plans carried on by the International Boundary Commission, and specially directed to relieve the towns and agricultural lands located within the El Paso-Juarez Valley from flood dangers, and securing at the same time the stabilization of the international boundary line, which, owing to the present meandering nature of the river it has not been possible to hold within the mean line of its channel; and fully conscious of the great importance involved in this matter, both from a local point of view as well as from a good international understanding, have resolved to undertake, in common agreement and cooperation, the necessary works as pro-

Los Estados Unidos de América y los Estados Unidos Mexicanos habiendo tomado en consideración los estudios y proyectos de carácter técnico llevados a cabo por la Comisión Internacional de Límites, encaminados especialmente a librar a las poblaciones y a las tierras laborables, situadas dentro del Valle de El Paso-Juárez, de los peligros de inundación, logrando al mismo tiempo la estabilización de la línea divisoria internacional, que dada la actual naturaleza divagante del Río, no ha sido posible conservar dentro de la línea media del cauce del mismo; y penetrados de la gran importancia que tanto desde el punto de vista del interés local, como de la buena inteligencia internacional, reviste este asunto, han resuelto ejecutar, de común acuerdo y cooperación,

Contracting Powers.

vided in Minute 129 (dated July 31, 1930) of the International Boundary Commission, approved by the two Governments in the manner provided by treaty; and in order to give legal and final form to the project, have named as their plenipotentiaries:

**Plenipotentiaries.**

The President of the United States of America, J. Reuben Clark, Jr., Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico; and

The President of the United Mexican States, Doctor José Manuel Puig Cassauranc, Secretary of State for Foreign Affairs;

**Exchange of full powers.**

Who, after having communicated their respective full powers and having found them in due and proper form, have agreed on the following articles:

**I.****Agreement of Governments to carry out works.**

*Post, p. 1628.*

The Government of the United States of America and the Government of the United Mexican States have agreed to carry out the Rio Grande rectification works provided for in Minute 129 of the International Boundary Commission and annexes thereto, approved by both Governments, in that part of the river beginning at the point of intersection of the present river channel with the located line as shown in map, exhibit No. 2 of Minute 129 of said Commission (said intersection being south of Monument 15 of the boundary polygon of Córdoba Island) and ending at Box Canyon.

**Application of terms.**

The terms of this Convention and of Minute 129 shall apply exclusively to river rectification within the limits above set out.

**Study of future regulations of International Boundary Commission.**

The two Governments shall study such further minutes and regulations as may be submitted

las obras necesarias como se detallan en el Acta número 129 de 31 de julio de 1930 de la Comisión Internacional de Límites, aprobada por los dos Gobiernos en la manera prevista por los Tratados; y para dar forma legal y definitiva a dicho proyecto han decidido celebrar esta Convención, nombrando al efecto a sus respectivos plenipotenciarios:

El Presidente de los Estados Unidos de América al señor J. Reuben Clark, Jr., su Embajador Extraordinario y Plenipotenciario en México y

El Presidente de los Estados Unidos Mexicanos al señor Doctor José Manuel Puig Cassauranc, Secretario de Relaciones Exteriores.

Quienes, después de haberse mostrado sus respectivos plenos poderes, y encontrándolos en buena y debida forma, han convenido en los artículos siguientes:

**I.**

El Gobierno de los Estados Unidos de América y el Gobierno de los Estados Unidos Mexicanos han convenido en ejecutar las obras de rectificación del Río Grande (Bravo del Norte) previstas en el Acta número 129 de la Comisión Internacional de Límites y el informe anexo, que ha sido aprobada por ambos Gobiernos, en el tramo que comienza en el punto de intersección del cauce actual del Río con el trazo del proyecto tal como aparece en el mapa anexo No. 2, Acta 129 de dicha Comisión, (intersección que queda al Sur del Monumento No. 15 del polígono limítrofe de la Isla de Córdova), y termina en el Box Canyon (Cañón de Cañoncitos.)

Los términos de esta Convención y del Acta 129 se aplicarán exclusivamente a la rectificación del río dentro del tramo arriba descrito.

Los dos Gobiernos estudiarán cualesquiera otras actas y disposiciones propuestas por la Comisión

by the International Boundary Commission and, finding them acceptable, shall approve same in order to carry out the material execution of the works in accordance with the terms of this Convention. The works shall be begun after this Convention becomes effective.

## II.

For the execution of the works there shall be followed the procedure outlined in the technical study of the project. The works shall be begun and shall be carried on primarily from the lower end, but at the same time and for reasons of necessity works may be carried on in the upper sections of the valley.

## III.

In consideration of the difference existing in the benefits derived by each of the contracting countries by the rectification works, the proratable cost of the works will be defrayed by both Governments in the proportion of eighty-eight per cent (88%) by the United States of America and of twelve per cent (12%) by the United Mexican States.

## IV.

The direction and inspection of the works shall be under the International Boundary Commission, each Government employing for the construction of that portion of the work it undertakes, the agency that in accordance with its administrative organization should carry on the work.

## V.

The International Boundary Commission shall survey the ground to be used as the right of way to be occupied by the rectified channel, as well as the parts to be cut from both sides of said channel. Within thirty days after

Internacional de Límites, y en el caso de estar conformes las aprobarán, a fin de llevar a cabo la ejecución material de las obras de acuerdo con los términos de esta Convención. Las obras deberán iniciarse en cuanto entre en vigor la presente Convención.

## II.

Para la ejecución de las obras se seguirá el procedimiento fijado en el estudio técnico del proyecto. Las obras comenzarán y serán llevadas a cabo en primer lugar en el extremo inferior, pudiendo a la vez ejecutarse obras en tramos superiores del Valle por razones de emergencia.

## III.

En atención a la diferencia que existe entre los beneficios reportados con las obras de rectificación por cada uno de los países contratantes, el costo a repartir a pro rata de las mismas será expensado por ambos Gobiernos en la proporción de 88%—ochenta y ocho por ciento—por los Estados Unidos de América y 12%—doce por ciento—por los Estados Unidos Mexicanos.

Procedure for execution of works.

Proration of costs.

Percentages.

## IV.

La dirección e inspección de las obras estarán a cargo de la Comisión Internacional de Límites, empleando cada Gobierno para la ejecución de la parte que le corresponda de las mismas, el ganado que de acuerdo con su régimen administrativo, deba ejecutarlas.

Direction and inspection of works.

## V.

La Comisión Internacional de Límites levantará los planos de las porciones de terreno que ocupe el derecho de vía por donde deba pasar el cauce rectificado, así como los de las que deban segregarse en ambos lados de este

Surveys.

Vol. 24, p. 1012.

a cut has been made, it shall mark the boundaries on the ground, there being a strict superficial compensation in total of the areas taken from each country. Once the corresponding maps have been prepared, the Commission shall eliminate these areas from the provisions of Article II of the Convention of November 12, 1884, in similar manner to that adopted in the Convention of March 20, 1905 for the elimination of bancos.

Establishment of international boundary line.

For the sole purpose of equalizing areas, the axis of the rectified channel shall be the international boundary line. The parcels of land that, as a result of these cuts or of merely taking the new axis of the channel as the boundary line, shall remain on the American side of the axis of the rectified channel shall be the territory and property of the United States of America, and the territory and property of the United Mexican States those on the opposite side, each Government mutually surrendering in favor of the other the acquired rights over such parcels.

In the completed rectified river channel—both in its normal and constructed sections—and in any completed portion thereof, the permanent international boundary shall be the middle of the deepest channel of the river within such rectified river channel.

Ownership of lands.

Lands within the rectified channel, as well as those which, upon segregation, pass from the territory of one country to that of the other, shall be acquired in full ownership by the Government in whose territory said lands are at the present time; and the lands passing as provided in Article V hereof, from one country to the

cauce. Dentro de un plazo de treinta días a contar de la consumación de cada corte, deslindará su área en el terreno, debiendo existir estricta compensación superficial en el total de áreas segregadas de cada país. Preparados los planos respectivos, la Comisión declarará eliminadas estas fracciones de los efectos del artículo 2o. de la Convención de 12 de noviembre de 1884, en forma análoga a la adoptada por la Convención de 20 de Marzo de 1905 para la eliminación de bancos.

## VI.

Unicamente con el objeto de compensar las áreas traspasadas, el eje del cauce rectificado, será considerado como la línea divisoria internacional.

Las porciones de tierra que como resultado de los cortes o simplemente de la adopción del eje del canal como línea divisoria, queden del lado americano, serán territorio y propiedad de los Estados Unidos de América, y territorio y propiedad de los Estados Unidos Mexicanos las del lado opuesto, renunciando recíprocamente cada Gobierno a favor del otro los derechos adquiridos sobre dichas porciones de tierra.

En el cauce ya rectificado del río—tanto en los tramos normales como en los construidos—y en cualquier parte de dicho cauce que haya sido terminado, la línea divisoria internacional permanente será el centro del cauce más profundo del río dentro de dicho cauce rectificado del río.

## VII.

## VII.

Los terrenos que ocupe el cauce rectificado, así como los que al ser segregados pasen del territorio de un país al del otro, deberán ser adquiridos en pleno dominio por el Gobierno en cuyo territorio se encuentren en la actualidad dichos terrenos; de acuerdo con lo previsto en el artículo V de esta Convención,

other, shall pass to each Government respectively in absolute sovereignty and ownership, and without encumbrance of any kind, and without private national titles.

### VIII.

The construction of works shall not confer on the contracting parties any property rights in or any jurisdiction over the territory of the other. The completed work shall constitute part of the territory and shall be the property of the country within which it lies.

Each Government shall respectively secure title, control, and jurisdiction of its half of the flood channel, from the axis of that channel to the outer edge of the acquired right of way on its own side, as this channel is described and mapped in the International Boundary Commission Minute number 129, and the maps, plans, and specifications attached thereto, which Minute, maps, plans, and specifications are attached hereto and made a part of this Convention. Each Government shall permanently retain full title, control, and jurisdiction of that part of the flood channel constructed as described, from the deepest channel of the running water in the rectified channel to the outer edge of such acquired right of way.

### IX.

Construction shall be suspended upon request of either Government, if it be proved that the works are being constructed outside of the conditions herein stipulated or fixed in the approved plan.

### X.

In the event there be presented private or national claims for the construction or maintenance of

los terrenos que pasen de un país al otro, lo harán a cada Gobierno respectivamente en absoluta soberanía y propiedad, sin gravamen de ningún género, y sin títulos de propiedad privada nacionales.

### VIII.

La construcción de las obras no confiere a las partes contratantes derecho de propiedad ni jurisdicción en territorio de la otra. La obra construida constituirá parte del territorio y propiedad de la nación en que está ubicada.

*Property and jurisdictional rights.*

Cada Gobierno, respectivamente, obtendrá el título, el control y la jurisdicción de la mitad del cauce mayor del Río que le corresponde desde el eje de tal cauce al límite exterior del derecho de vía que haya adquirido en su propio lado, tal como el cauce es descrito y delineado en el Acta 129 de la Comisión Internacional de Límites y en los planos, proyectos y especificaciones adjuntos a ella; acta, planos, proyectos y especificaciones que se anexan a esta Convención y forman parte de ella. Cada Gobierno conservará permanentemente el título completo, el control y la jurisdicción de la parte del cauce mayor construido, tal como se ha descrito, y comprendida entre el eje del cauce más profundo del agua corriente en el cauce rectificado al límite exterior del derecho de vía adquirido.

*Post, p. 1628.*

### IX.

Las obras se suspenderán a petición de cualquiera de los dos Gobiernos, si se comprueba que se están ejecutando fuera de las condiciones estipuladas o de las que establece el proyecto aprobado.

*Suspension of construction.*

En caso de presentarse reclamaciones privadas o nacionales por la construcción o conserva-

*Adjustment of claims.*

the rectified channel, or for causes connected with the works of rectification, each Government shall assume and adjust such claims as arise within its own territory.

ción del cauce rectificado, o por causas que tengan conexión con las obras de rectificación, cada Gobierno tomará a su cargo para su estimación y arreglo, las que se originen dentro de su propio territorio.

## XI.

Maintenance of rectified channel.

The International Boundary Commission is charged hereafter with the maintenance and preservation of the rectified channel. To this end the Commission shall submit, for the approval of both Governments, the regulations that should be issued to make effective said maintenance.

## XI.

Queda encomendada en lo futuro a la Comisión Internacional de Límites la conservación de la integridad del cauce rectificado, debiendo someter dicha Comisión, a este efecto, a la aprobación de ambos Gobiernos, los Reglamentos que deben expedirse para hacer efectiva esta conservación.

## XII.

Exemption of materials, etc., from import duties.

Both Governments bind themselves to exempt from import duties all materials, implements, equipment, and supplies intended for the works, and passing from one country to the other.

## XII.

Ambos Gobiernos se comprometen a eximir del pago de derechos de importación a los materiales, implementos, equipo y provisiones destinados a las obras, y transladados de un país a otro.

## XIII.

Languages of Convention.

The present Convention is drawn up both in the English and Spanish languages.

## XIII.

La presente Convención está redactada en cada una de las lenguas inglesa y española.

## XIV.

Ratification.

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective laws, and the ratifications shall be exchanged in the City of Washington as soon as possible. This Convention will come into force from the date of the exchange of ratifications.

La presente Convención será ratificada por las Altas Partes Contratantes de acuerdo con sus leyes respectivas, canjeándose las ratificaciones en la ciudad de Washington tan pronto como sea posible. Esta Convención entrará en vigor desde la fecha del canje de ratificaciones.

In witness whereof the Plenipotentiaries mentioned above have signed this Convention and have affixed their respective seals.

En testimonio de lo cual los plenipotenciarios arriba mencionados han firmado esta Convención fijando sus sellos respectivos.

Done in duplicate at the City of Mexico this first day of February one thousand nine hundred and thirty-three.

Hecho por duplicado en la ciudad de México al primer día del mes de febrero de mil novecientos treinta y tres.

Signatures.

[SEAL]  
[SEAL]

J. REUBEN CLARK Jr.  
PUIG

**ANNEXES**

Minute 129 of the International Boundary Commission dated July 31 1930, and annexes thereto, referred to in article I of this Convention.

**ANEXOS**

Acta 129 de la Comisión Internacional de Límites de 31 de julio de 1930 e informe anexo a que se refiere el artículo I de esta Convención.

Minute No. 129 of International Boundary Commission.

INTERNATIONAL BOUNDARY COMMISSION UNITED STATES AND MEXICO.

Mexico City  
July 31, 1930.

MINUTE NO. 129.

Subject: Report on Rio Grande Rectification.

The Commission met in the conference room at the Department of Foreign Relations, Mexico City, at ten o'clock a.m. July 31, 1930, in accordance with Minute No. 128, to complete its action in reporting and recommending a plan for Rio Grande rectification.

(1) Each section of the International Boundary Commission has been requested by the Foreign Relations Department of its Government to study and develop an international plan for the removal of the flood menace of the Rio Grande from the El Paso-Juarez Valley. Studies and investigations have now reached the point where it is possible to report to the two Governments a definite plan with estimates of cost; and the following is the report of the International Boundary Commissioners, together with a joint report prepared by the consulting engineers and technical advisers. Minute No. 111 of the Joint Commission, dated December 21, 1928, outlined in a general way the necessities for international action and gave a general description of the areas involved, a preliminary summary of the proposed plan and recommended proceeding with the development of the final details of the plans and estimates. During the past few months a most important step taken by the Commission consisted in rendering decisions determining the national jurisdiction and dominion of a number of

COMISION INTERNACIONAL DE LIMITES ENTRE MEXICO Y LOS ESTADOS UNIDOS

México, D.F.  
31 de julio de 1930.

ACTA NUMERO 129.

Asunto: Informe sobre Rectificación del Río Bravo.

La Comisión se reunió en la Sala de Conferencias de la Secretaría de Relaciones Exteriores en la Ciudad de México, a las 10 horas del día 31 de julio de 1930, de acuerdo con lo convenido en el Acta No. 128, para formalizar por medio de esta Acta su informe y recomendaciones a los dos Gobiernos sobre el proyecto de Rectificación del Río Bravo.

(1) Cada una de las Secciones de la Comisión Internacional de Límites ha recibido instrucciones de la Secretaría de Relaciones Exteriores de su respectivo Gobierno para estudiar y preparar un proyecto de carácter internacional a fin de conjurar el peligro de inundación por aguas del Río Bravo, que se cierne sobre el Valle de Juárez-El Paso. Los estudios y las investigaciones han llegado a un punto tal que permiten presentar a los dos Gobiernos un proyecto definido y un presupuesto de costos, y a continuación aparece el Informe de los Comisionados de la Comisión Internacional de Límites, acompañando de un informe común preparado por los Ingenieros Consultores y los Asesores Técnicos. En el Acta No. 111 de la Comisión Unida, de fecha 21 de Diciembre de 1928 se delineó, en términos generales, la necesidad de tomar medidas de carácter internacional y se hizo una descripción general de los terrenos afectados y un resumen preliminar del proyecto y se recomendó que se elaborara éste hasta sus detalles finales y costos. Durante los últimos meses la Comisión ha dado un

banco cases in the area under consideration.

(2) The plan prepared and developed by the Joint Commission is attached hereto as an exhibit to this minute. In transmitting it to the two Governments<sup>1</sup> the Commissioners offer it as being both practical and feasible as an engineering and economic project. In general the plan consists of straightening the present river channel, effecting decrease in length from one hundred fifty-five (155) miles to eighty-eight (88) miles, and confining this channel between two parallel levees. In addition to this channel the plan includes the construction of a flood retention dam at the only available site, twenty-two (22) miles below Elephant Butte on the Rio Grande, creating reservoir storage of one hundred thousand (100,000) acre feet. Careful studies based on actual past flood performance show the advantage of reducing the flood flow reaching El Paso-Juarez by storage in the proposed reservoir. The reduction in flood flow thru the El Paso-Juarez Valley accomplished by such storage of flood waters effects a saving of a quarter of a million dollars in the works required thru the valley by decreasing the size of the channel and reducing the area required for right-of-way, and amount of yardage in levees.

(3) The meandering and uncontrolled Rio Grande below El Paso-Juarez has in recent years become a very serious menace to adjacent lands on both sides. Authorities of both countries have unsuccessfully attempted the protection of the improvements in the El Paso-Juarez Valley and the two cities. Considering the fu-

paso muy importante al dictar sus decisiones determinando el dominio y jurisdicción nacionales correspondientes a varios bancos en la zona de que se trata.

(2) El proyecto elaborado por la Comisión Unida va agregado como un anexo a la presente Acta, y al enviarlo a los dos Gobiernos, los Comisionados lo presentan como un proyecto viable y práctico desde los puntos de vista económico y de ingeniería. En términos generales, el proyecto consiste en enderezar el cauce actual del Río y disminuir su longitud de 247 kilómetros (155 millas) a 141 kilómetros (88 millas), y confinar este cauce entre dos diques paralelos. El proyecto comprende, además de este cauce, la construcción de una Presa de retención de avenidas en el único lugar adecuado, que queda sobre el Río Grande a 35 kilómetros (22 millas) abajo de la Presa del Elefante, para formar un vaso de almacenamiento de 123.350.000 metros cúbicos (100.000 acres pies). El estudio cuidadoso de las crecientes e inundaciones pasadas aconseja la conveniencia de disminuir el gasto de creciente que llegue a Juárez-El Paso mediante el almacenamiento que se propone. La reducción en el gasto de crecientes en el Valle de El Paso-Juárez que se obtiene mediante este almacenamiento se traduce en un ahorro de cerca de \$250,000.00 dólares en las obras en el Valle, pues permite disminuir las dimensiones del cauce, la extensión necesaria para el derecho de vía y el volumen de terracerías de los diques.

(3) El Río Bravo, por la falta de control y por su carácter divagante abajo de Juárez-El Paso, ha llegado a constituir en los últimos años una seria amenaza para los terrenos ribereños en ambos lados. Las autoridades de ambos Países han tratado de proteger las mejoras materiales que existen en ambas ciudades y en el

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<sup>1</sup> So in original.

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tility of providing adequate and proper protection on the present meandering river location, the two affected communities have expended the limit of a reasonable and justifiable amount in local flood protection works. A proper and sound plan for accomplishing desired results lies in a coordinated international project.

(4) Existing treaties provide for the center of the Rio Grande, except in isolated cases, being the International Boundary line. The present river channel, with excessive length, was produced by natural conditions which no longer exist. Increase in settlement, cultivation and values justify both Governments in considering means of removing the flood menace and providing an adequate flood channel.

(5) Actual field surveys were continued in the location on the ground of a rectified channel subject, of course, to some later slight modification, but generally sufficiently definite to permit estimates of right-of-way and construction costs. With office and field location of this channel line which generally follows and straightens the present meandering river, it has been possible to estimate acreages and values of the relatively small areas that would be detached from one country and attached to the other—so balanced in area that neither country would gain nor lose national territory.

(6) At the present time the bed of the Rio Grande between El Paso and Juarez is at a higher elevation than some of the streets and other properties of the two cities. Accumulations of sedi-

Valle, sin conseguirlo, y ambas comunidades han gastado una suma que consideran como el máximo razonable y justificado en obras de defensa de carácter local, pues reconocen la futilidad de pretender dar protección adecuada y completa siguiendo el actual cauce divagante del Río. Para alcanzar el resultado deseado la solución más adecuada requiere un programa coordinado de carácter internacional.

(4) De acuerdo con los Tratados en vigor, la Línea Divisoria Internacional es el centro del Río Bravo, con excepción de algunos casos aislados. La longitud excesiva del cauce actual del Río se produjo por condiciones naturales que ya no existen. Los aumentos en la población, en el cultivo y en el valor de la propiedad, justifican que ambos Gobiernos busquen los medios de conjurar el peligro de inundación y de crear un cauce adecuado para las crecientes.

(5) Se han continuado los trabajos en el campo para la localización sobre el terreno de un cauce rectificado que, como es natural, podrá ser modificada ligeramente, pero que en general está suficientemente definida para poder hacer estimaciones de costos de derecho de vía y de construcción. Estos trabajos de campo y de gabinete han tenido por objeto hacer una localización del cauce proyectado, que en general sigue y rectifica el actual cauce divagante del Río, y han permitido hacer estimaciones de las áreas y de los valores de las parcelas (relativamente pequeñas) que resultarán segregadas de un País y adheridas al otro. La localización se ha hecho de modo que sean iguales las áreas de las parcelas cortadas de cada País, a fin de que ninguno pierda ni gane territorio.

(6) En la actualidad el lecho del Río Bravo frente a las Ciudades de Juárez y El Paso está más alto que algunas de las calles y edificios de dichas poblaciones. La acumulación continua de

ment are continuing to aggravate this situation, and until proper grades and hydraulic conditions are introduced by artificial works, there are no means for carrying off these deposits which are encroaching upon the carrying capacity of the channel. The consensus of opinion of engineers who have studied the situation is that the correction lies in the plan proposed of straightening and confining the channel. One of the principal requirements to permit such artificial rectification is the equitable adjustment of the areas which would be necessarily detached from one side of the river and attached to the other in the straightening process. The plan evolved, of having each Government acquire the private titles to these equal areas for later exchange, provides a feasible solution. These areas to be acquired are generally seeped and waterlogged, and so shaped and situated as to be unsusceptible of proper irrigation and drainage.

(7) The benefits to be derived from the straightened and rectified channel plans are mutual to the two Governments in affording flood protection and in permitting cultivation, improvement and settlement of even larger areas adjoining the Rio Grande than are now possible under the meandering river conditions. It is of utmost importance that the Governments own and control the flood channel in order that private encroachments be definitely prevented and eliminated. Such ownership and control will also be of great assistance in the enforcement of national immigration and customs laws of both countries.

(8) In giving consideration to the determination of proper and justifiable proration of costs between the two countries, conditions other than gross and irrigated areas are necessarily in-

azolve sigue agravando la situación, y no es posible lograr el acarreo de estos depósitos que reducen notablemente la capacidad del cauce, sino hasta que se modifiquen las condiciones hidráulicas y las pendientes en forma adecuada, mediante obras artificiales. En opinión general de los Ingenieros que han estudiado el problema, la solución consiste en rectificar y canalizar el cauce, que es lo que se propone hacer. Uno de los requisitos principales para realizar esta rectificación artificial es el de hacer un ajuste equitativo sobre las parcelas que forzosamente tienen que segregarse de un lado del Río y pasarse al otro lado al hacer la rectificación. Esto se logra mediante la adquisición por cada Gobierno de los títulos de propiedad particular sobre los terrenos por separar, que son iguales en extensión, y que se canjearán al hacer las obras. Estas parcelas son terrenos ensalitrados y pantanosos, y por su forma y situación no pueden regarse ni drenarse debidamente.

(7) Ambos Países se beneficiarán por las ventajas que resultarán al rectificar y canalizar el Río, pues así se defiende la región de las inundaciones, se aumentan las extensiones cultivadas, las mejoras materiales y las posibilidades de colonización en las orillas del Río, lo que no es posible en las actuales condiciones divagantes de la corriente. Es de capital importancia que los Gobiernos sean dueños del cauce mayor del Río y tengan control sobre él a fin de evitar definitivamente su obstrucción u ocupación por intereses privados. Siendo los Gobiernos dueños del cauce, se facilitará la vigilancia de la frontera y el cumplimiento de las leyes aduanales y de migración de ambos Países.

(8) Al analizar la forma de repartir los costos entre los dos Países en condiciones equitativas hay que tomar en cuenta forzosamente, además de las extensiones brutas de terrenos y de las ex-

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cluded. Economic features and values in the two countries are distinct and different. While the use of areas may be entirely proper in a distribution of costs for irrigation development, this unit of proration for an international flood control plan is unsuitable and produces serious irregularities. The Commission has taken into consideration the benefits that each country would receive according to the areas and their values to be protected rather than the benefits each would receive on the sole acreage basis. On the American side of the valley there are about fifty-three thousand (53,000) acres of land under the Rio Grande Federal Irrigation Project with water rights assured; the greater part of which is in full cultivation, and about seventeen thousand (17,000) acres in the lower portion of the valley below the project limits which are irrigated with project surplus water. The total irrigated area is seventy thousand (70,000) acres. This area is served with irrigation and drainage works, and first-class roads. Finance companies facilitate the financing of the production and distribution of agricultural products.

(9) On the Mexican side of the valley there are about thirty-five thousand (35,000) acres of land in cultivation, of which twenty thousand (20,000) acres have assured water rights under the Rio Grande Federal Irrigation Project, provided for by the Water Treaty of 1906. Practically no drainage works have been constructed and the irrigation works are largely insufficient. The productiveness of the lands on the Mexican side is under these circumstances much less than the corresponding lands on the north side of the river, and there are large areas with insignificant or no production. No

tensiones regadas, algunas otras circunstancias. Las condiciones económicas y el valor de la propiedad son muy diferentes en los dos Países. Si bien es cierto que en la distribución del costo de un sistema de irrigación sería adecuado tomar como base las extensiones de terreno, si se adoptara esta misma base para el reparto del costo del proyecto internacional de obras de defensa se llegaría a conclusiones injustificadas e inaceptables. La Comisión ha tomado en cuenta al estimar los beneficios que cada País recibiría no solamente la proporción entre las superficies de los terrenos protegidos en cada margen sino el verdadero valor de ellos. En el lado americano del Valle hay 21.200 hectáreas (53.000 acres) con derechos de agua asegurados dentro del Sistema Federal de Irrigación "Río Grande", estando la mayor parte de esta extensión bajo cultivo; hay también 6.800 hectáreas (17.000 acres) en la región inferior del Valle, y fuera de los límites del Sistema, que se riegan con las aguas sobrantes del mismo. El área total regada es de 28.000 hectáreas (70.000 acres), que tienen obras de riego y de drenaje y caminos de primera clase. Existen además Compañías Refaccionarias que facilitan la producción agrícola y la distribución de los productos.

(9) En el lado mexicano del Valle hay aproximadamente 14.000 hectáreas (35.000 acres) bajo cultivo, de las cuales 8.000 hectáreas (20.000 acres) tienen derechos de agua seguros en el Sistema de Irrigación Federal "Río Grande", según el Tratado de Aguas de 1906. Prácticamente no existen obras de drenaje y las de riego son inadecuadas. En estas circunstancias, la productividad de las tierras del lado mexicano es muy inferior a la correspondiente a las tierras de la margen Norte del Río, y hay grandes extensiones en que la producción es prácticamente nula. No existen buenos caminos y las Compañías Refaccionadoras

major road improvements exist, and the finance companies organized to serve Mexican farmers are very limited in number and resources. The industrial plants and means for handling agricultural products are in very small proportion when compared with those in the valley in the United States.

(10) The estimated value of agricultural investments in the American part of the valley, according to figures assembled by the Bureau of Reclamation, including purchase of land and its preparation, farm improvements, equipment and live stock, is seventeen million dollars (\$17,000,000) or thirty-four million gold pesos. The value of agricultural improvements on the Mexican side as estimated by Engineer Salvador Arroyo, Chief of the Flood Protection Work, is five million four hundred thousand (\$5,400,000) gold pesos. Comparing these agricultural values in one part of the valley with those in the other it is seen that the Mexican side represents thirteen per cent of the total and the American eighty-seven per cent. Valley lands on either side of the river without water rights and assured irrigation service have very nominal value as compared with the lands obtaining water service from project sources; a comparison of such areas on this basis results in twenty-seven per cent for Mexico and seventy-three per cent for the United States.

(11) As the cities and suburbs of El Paso and Juarez not only are included in the flood protection plan, but either directly or indirectly would receive a large part of the benefits of the rectification of the channel, the Commission has considered the proportion of values which each city bears to the other and giving proper weights to various percentages, believes the justifiable proportion to be twelve (12) per cent

organizadas para servir a los agricultores mexicanos son en número limitado y de escasos recursos. Las plantas industriales y los medios para la distribución de los productos agrícolas son inferiores a los que hay del lado de los Estados Unidos en este Valle.

(10) De acuerdo con los datos recopilados por el "Bureau of Reclamation", se estima en \$17,000.000.00 de dólares (\$34.000.000.00 de pesos oro nacional) el valor de las inversiones agrícolas en la parte americana del Valle, incluyendo precio de la tierra, su preparación, las mejoras materiales y edificios de los ranchos, los implementos y semovientes. El valor de las inversiones agrícolas en el lado mexicano es de \$5.400.000 oro nacional según el avalúo hecho por el Ingeniero Salvador Arroyo, Jefe de la Comisión de Obras de Defensa contra Inundaciones. Si se comparan las inversiones agrícolas en un lado del Valle con las del otro, puede verse que el lado mexicano representa el 13% del total, y el lado americano el 87%. Los terrenos en cada lado del Río que no tienen derechos de agua asegurados ni servicio de riego permanente, tienen un valor insignificante comparados con los terrenos que se surten de agua del Sistema de Riego, y al comparar las extensiones correspondientes a terrenos de esta categoría, resulta el 27% de ellos en México y el 73% en los Estados Unidos.

(11) Puesto que las ciudades y los suburbios de Juárez y El Paso, además de quedar cubiertos por el Proyecto de Obras de Defensa contra las Inundaciones, reciben directa o indirectamente una gran parte de los beneficios de la rectificación del cauce, la Comisión ha tomado en cuenta los valores relativos de una y otra ciudad, y después de asignar a los varios porcentajes los pesos debidos, considera que el reparto equita-

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Minute No. 129 of International Boundary Commission—Contd. for Mexico and eighty-eight (88) per cent for the United States.

(12) With reference to the estimates (exhibit number five of the engineers' report) the grand total of six million one hundred six thousand five hundred dollars (\$6.106,500) includes certain items in which the Commissioners concur as being non-proratable and properly and practically chargeable to each Government separately. These are: rights-of-way four hundred twelve thousand five hundred dollars (\$412,500), for purchase of private channel rights above Cordova seventy-five thousand dollars (\$75,000), segregated tracts two hundred sixty-six thousand dollars (\$266,000), changes in irrigation works two hundred twenty-five thousand dollars (\$225,000). The total of these items, with twenty per cent overhead and contingencies is one million one hundred seventy-four thousand two hundred dollars (\$1.174,200). This amount subtracted from the grand total leaves a proratable total of four million nine hundred thirty-two thousand three hundred dollars (\$4,932,300). Using twelve per cent (12%) and eighty eight per cent (88%) as the basis of proration Mexico's share of the cost of the project would be five hundred ninety-one thousand eight hundred seventy-six dollars (\$591,876) and that of the United States four million three hundred forty thousand four hundred twenty-four dollars (\$4,340,424).

(13) On the basis that this report and the engineers' statement have been prepared and submitted with the view of generally straightening the present river location between the International Dam above El Paso-Juarez and the Box Canyon below Fort Quitman, the question of using the present river at Fabens or following the boundary route on the south of the San Elizario area is left for later determination. From the data

tivo de los costos puede hacerse a razón de 12% para México y 88% para los Estados Unidos.

(12) En cuanto al presupuesto contenido en el anexo No. 5 del informe de los Ingenieros, los Comisionados juzgan que del total de \$6.106,500.00 dólares, algunos gastos no deben repartirse a "pro-rata", sino cargarse a cada Gobierno separadamente, por razones de conveniencia práctica. Estas partidas son: Derecho de vía \$412,500.00 dólares; compra de propiedades particulares dentro del cauce del Río arriba de Córdova \$75.000.00 dólares; terrenos segregados, \$266.000.00 dólares y cambios en las obras de riego, \$225.000.00 dólares. El total de estas partidas, aumentado en un 20% por gastos de administración e imprevistos, es de \$1.174,200.00 dólares, que, deducido del gran total, arroja un total de \$4.932,300.00 dólares que repartido en la proporción de 12% y de 88%, resulta que correspondería a México como participación en este proyecto, la cantidad de \$591.876.00 dólares y a los Estados Unidos \$4.340,424.00 dólares.

(13) Partiendo de la base de que el presente informe y el estudio de los Ingenieros se han preparado y se presentan con la idea de rectificar en general el cauce actual del Río entre la Presa Internacional arriba de Juárez-El Paso y el Cañón de Cajoncitos abajo de Fort Quitman, se ha dejado para decidirse en el futuro la elección entre los dos trazos en la Isla de San Elizario, es decir, si debe seguirse el cauce actual del Río que pasa por Fabens o si debe llevarse por

at hand, apparently there is argument in favor of both routes. Following either the present river or the boundary line route requires adjustment of detached areas, and the proposed channel below this section can be so located as to compensate for any inequalities of such areas.

el actual Límite Internacional al Sur de la Isla. Con los datos de que se dispone hay razones en apoyo de cada uno de los trazos. Ya sea que se siga el trazo por el cauce actual del Río o el trazo por el Límite Internacional, es requisito esencial que se igual en las áreas segregadas, y con este objeto puede desalojarse el trazo proyectado abajo de la Isla de manera que haya compensación en dichas áreas.

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(14) The following are the recommendations of the Commission:

- (a) The Commissioners recommend that the two Governments approve the plan for river rectification as outlined in the attached engineering report, including the feature of the flood retention dam, the general straightening of the present river location and the establishment of a flood channel which generally will follow and straighten the present river from International Dam to the Box Canyon below Fort Quitman.
- (b) That both countries in view of the serious situation proceed to an agreement, without delay, which will carry into effect the engineering and construction features as outlined in the attached report.
- (c) That the International Boundary Commission be authorized to prepare detail plans, and to direct and supervise the construction and all other engineering operations, utilizing such established governmental agencies as each government may deem proper.
- (d) That each section of the International Boundary Commission be authorized to acquire for its country the necessary rights-of-way and detached areas located within its territorial limits, thru the proper governmental agencies.

(14) RECOMENDACIONES.—A continuación constan las recomendaciones de la Comisión:

- (a).—Los Comisionados recomiendan que los dos Gobiernos aprueben el proyecto de Rectificación del Río descrito en el informe de los Ingenieros que se acompaña, y que comprende la construcción de una Presa de retención, la rectificación general del cauce actual del Río y la creación de un cauce mayor o de avenidas que, en general, siga y rectifique el Río actual desde la Presa Internacional hasta el Cañón de Cajoncitos abajo de Fort Quitman.
- (b).—Que en vista de la seriedad de la situación, ambos países celebren sin demora un arreglo para ejecutar el proyecto de ingeniería y de construcción descrito en el informe adjunto.
- (c).—Que se autorice a la Comisión Internacional de Límites para preparar los planos de detalle, y para dirigir e inspeccionar la construcción y todas las otras operaciones de ingeniería, utilizando las dependencias que cada Gobierno juzgue adecuadas.
- (d).—Que se autorice a cada una de las Secciones de la Comisión Internacional de Límites para que, por los conductos debidos, adquiera dentro de su propio territorio y a nombre de su País los terrenos necesarios para el derecho de vía y porciones segregadas.

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- (e) That agreement between the two Governments provide for the exchange of one-half of the area required for right-of-way and the total area of detached tracts of each country.
- (f) That the total proratable cost of four million nine hundred thirty two thousand three hundred dollars (\$4,932,300) be divided between Mexico and the United States on the basis of twelve per cent (12%) and eighty-eight per cent (88%) respectively, and that each Government provide annually such required appropriations as will complete the work in four or five years.
- (g) That the agreement between the two countries provide for the jurisdiction of the International Boundary Commission over all matters concerning the rectified channel.
- (h) That this Commission be authorized to adopt such rules and regulations as it may deem necessary to the end that the preservation of the rectified channel may be perpetuated.
- (i) That each country hold the other immune from all private or national claims arising from the construction and maintenance of the rectified channel or any other cause whatsoever in connection with this project.

Respectfully submitted.

The Commission adjourned to meet again at the call of either of the Commissioners.

(Sgd.) L. M. LAWSON  
*Commissioner for the  
United States.*

(Sgd.) GUSTAVO P. SERRANO  
*Commissioner for Mexico.*

(Sgd.) MERVIN B. MOORE  
*Acting Secretary of the  
United States Section.*

(Sgd.) JOSÉ HERNÁNDEZ OJEDA.  
*Secretary of the Mexican  
Section.*

(e).—Que el arreglo entre los dos Gobiernos estipule el canje entre los dos Países de la mitad del terreno ocupado por el derecho de vía y el de la totalidad de las parcelas segregadas de cada País.

(f).—Que el costo por repartir a “prorata” del proyecto, que es en total de \$4,932,300.00 dólares se distribuya entre México y los Estados Unidos en la proporción de doce por ciento y ochenta y ocho por ciento respectivamente, y que cada Gobierno proporcione cada año fondos suficientes para completar los trabajos en cuatro o cinco años.

(g).—Que el arreglo entre los dos Países otorgue jurisdicción a la Comisión Internacional de Límites sobre todos los asuntos relativos al cauce rectificado.

(h).—Que la Comisión quede autorizada para promulgar reglas y reglamentos adecuados y necesarios para la conservación a perpetuidad del cauce rectificado.

(i).—Que cada País otorgue indemnidad al otro contra toda reclamación privada o nacional que pueda resultar por la construcción y conservación del cauce rectificado, o por cualesquiera otras causas relacionadas con este proyecto.

Con todo respeto.

Se levantó la sesión para volver a reunirse a llamado de cualquiera de los Comisionados.

(F) GUSTAVO P. SERRANO.  
*Comisionado de México.*

(F) L. M. LAWSON.  
*Comisionado de los Estados Unidos.*

(F) JOSÉ HERNÁNDEZ OJEDA.  
*Secretario de la Sección Mexicana.*

(F) MERVIN B. MOORE.  
*Secretario Auxiliar de la  
Sección de los Estados Unidos.*

## JOINT REPORT OF CONSULTING ENGINEERS RIO GRANDE RECTIFICATION EL PASO-JUAREZ VALLEY.

Mexico, D.F.  
July 16, 1930.

## I.—INTRODUCTION.

1.—*Outline of Proposed Plan.*

(a) It is proposed to reduce materially the flood flow at El Paso-Juarez by the construction of a detention dam with a one hundred thousand (100,000) acre foot-(123,350,000 cubic meter) reservoir at Caballo, and to control this flood flow thru the El Paso-Juarez Valley in a shortened channel by the construction of parallel levees. The proposed artificial channel will follow and rectify, in a general way, the present river from Land Monument Number One to the Box Canyon below Fort Quitman, and is so located as to segregate the same area from each country.

(b) The general engineering features of the project involve: the reduction of river length from one hundred fifty-five (155) miles (247 kilometers) to eighty-eight (88) miles (141 kilometers); the establishment between levees of a floodway five hundred ninety (590) feet (180 meters) wide with a capacity of eleven thousand (11,000) second feet (314 cubic meters per second); and the increasing of the gradient from a slope of .00035 (1.82 feet per mile) to a slope of .00061 (3.20 feet per mile). The levees require the placement of eight million nine hundred eighty-five thousand (8,985,000) cubic yards (6,870,000 cubic meters) of earth, their average height being 7.5 feet (2.25 meters). Four million seven hundred seventy-five thousand (4,775,000) cubic yards (3,650,000 cubic meters) of earth

## INFORME COMUN DE LOS INGENIEROS CONSULTORES SOBRE EL PROYECTO DE RECTIFICACION DEL RIO BRAVO, EN EL VALLE DE JUAREZ-EL PASO.

Minute No. 129 of International Boundary Commission—Contd.

México, D.F.,  
Julio 16 de 1930.

## I.—INTRODUCCION.

1.—*BOSQUEJO DEL PLAN PROPUESTO.*

(a) Se propone disminuir de manera considerable el gasto de inundación en el Valle de Juárez-El Paso, construyendo al efecto una presa de retención de avenidas, con un vaso de 123,350,000 metros cúbicos (100,000 acres pies) de capacidad en Caballo, y confinar este gasto de crecientes a través del Valle de Juárez-El Paso en un cauce artificial, por medio de la construcción de diques paralelos. El cauce artificial en proyecto seguirá y rectificará, de manera general, el cauce actual del Río desde el monumento Número 1 de la línea divisoria terrestre hasta el cañón de Cajoncitos abajo de Fort Quitman y quedará localizado de manera de separar la misma área de cada uno de los dos países.

(b) Las principales características técnicas de este proyecto son: la reducción de la longitud del Río de 247 kilómetros (155 millas) a 141 kilómetros (88 millas); la formación de un cauce de crecientes de 180 metros de ancho (590 pies) con capacidad para 314 metros cúbicos (11,000 pies cúbicos) por segundo, mediante la construcción de diques paralelos; el incremento de la pendiente del Río de 0.00035 (1.82 pies por milla) a 0.00061 (3.20 pies por milla). La formación de los diques requiere la colocación de 6,870,000 metros cúbicos (8,985,000 yardas cúbicas) de tierra, siendo su altura media de 2.25 metros (7.5 pies). La formación del cauce artificial exige la excavación de 3,650,000 metros cúbicos (4,775,000 yardas cúbicas) de tierra. Para el derecho de vía de este cauce, son necesarias

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are required to be excavated to provide artificial channel. The areas required for right-of-way for this channel are four thousand seventy-five (4,075) acres (1650 hectares) from the United States and also four thousand seventy-five (4,075) acres (1650 hectares) from Mexico.

(c) The tentative proposed location of the rectified channel segregates three thousand four hundred sixty (3460) acres (1400 hectares) from the United States and also three thousand four hundred sixty (3460) acres (1400 hectares) from Mexico.

(d) The estimated cost of the project, including Caballo Dam, is about six million (6,000,000) dollars.

(e) This project will eliminate the flood menace throughout the El Paso-Juarez Valley in both the United States and Mexico, will prevent channel changes and detachment of areas from one country to the other, and will permit the reclaiming of low-lying areas.

## 2.—Present Conditions.

(a) The Rio Grande forms generally the International Boundary between the United States and Mexico from Land Monument Number One to the Box Canyon below Fort Quitman in the El Paso-Juarez Valley, and is a meandering stream subject to changes, creating detached areas from one country to the other.

(b) The gross area of valley land in both the United States and Mexico, between El Paso-Juarez and the Box Canyon, is one hundred sixty-five thousand (165,000) acres (66,000 hectares) of which ninety six thousand (96,000) acres (38,400 hectares) are in the United States and sixty-nine thousand (69,000) acres (27,600 hectares) are in Mexico. Estimated values existing in the cities of El Paso and Juarez and their valleys, including irrigation and drainage works and improved roads, are in excess of one hundred million dollars (\$100,000,000).

1650 hectáreas (4075 acres) en México y 1650 hectáreas (4075) cuatro mil setenta y cinco acres en Estados Unidos.

(c) La localización proyectada para el cauce rectificado corta 1400 hectáreas (3.460 acres) de México y también 1400 hectáreas (3460 acres) de Estados Unidos.

(d) El costo del proyecto, incluyendo la presa en Caballo, es aproximadamente de Dls. 6.000.000.00.

(e) Este proyecto suprimirá la amenaza de inundaciones en el Valle de Juárez-El Paso, tanto en México como en Estados Unidos; evitará cambios de cauce y segregación de terrenos de un país al otro; y permitirá ganar para el cultivo muchas de las tierras ribereñas.

## 2.—Condiciones Actuales.

(a) El Río Bravo (Grande) forma, en general, el Límite Internacional entre México y los Estados Unidos desde el monumento Número 1 al Cañón de Cajoncitos abajo de Fort Quitman en el Valle de Juárez-El Paso; es una corriente divagante cuyos cambios de cauce segregan terrenos de un país a otro.

(b) El área total de terrenos en las vegas, tanto en México como en Estados Unidos, entre Juárez-El Paso y el Cañón de Cajoncitos es de 66,000 hectáreas (165,000 acres), de las cuales 38,400 hectáreas (96,000 acres) están en Estados Unidos y 27,600 hectáreas (69,000 acres) están en México. El valor en que se estiman las ciudades de Juárez y El Paso y sus Valles, incluyendo las obras de riego, de drenaje y caminos, excede de Dls. 100.000.000.00.

(c) Notwithstanding the<sup>1</sup> fact that the present total amount of sediment annually carried thru this valley by the Rio Grande is only a very small percentage of that carried previous to the construction of the Elephant Butte Dam, the absence of the former large scouring floods has resulted in the silting up of the river channel to a point where rainfall discharges from arroyos entering the river between Elephant Butte and El Paso-Juarez menace the improved and developed properties of both cities and valley lands. Only large floods of destructive proportions are capable of eroding accumulations of sediment as they now occur in the meandering channel.

(d) The Mexican Department of Communications and Public Works and the city and county of El Paso have expended in the last few years over seven hundred fifty thousand dollars (\$750,000) to protect the cities of El Paso-Juarez and the Valley lands from floods. These works consist largely of levees built along the banks of the meandering channel, and require constant strengthening and repair on account of the raising of the river bed. A more substantial and effective plan must be adopted to secure permanent and efficient protection.

## II.—DETAIL REPORT.

Since the joint preliminary report, dated December 1928, was submitted to the Commission, location surveys covering the entire length<sup>1</sup> of river from the cities of El Paso and Juarez to Quitman Canyon have been completed. These surveys have furnished additional data, and form in a large measure the basis for the report which follows.

<sup>1</sup> So in original.

(c) A pesar de que la cantidad total de sedimento que al año acarrea actualmente el Río Bravo en este Valle, es sólo un tanto por ciento pequeño de la que acarreaba antes de la construcción de la Presa del Elefante, la carencia de fuertes crecientes de carácter erosivo ha determinado el depósito de sedimentos en el cauce del Río a un grado tal que las avenidas producidas por las lluvias en las cuencas de los arroyos que desembocan en el Río entre la Presa del Elefante y Juárez-El Paso, constituyen una amenaza para ambas ciudades, así como para las mejoras y terrenos en ambas márgenes. La erosión y arrastre de los sedimentos acumulados actualmente en el cauce divagante del Río, es posible solamente por grandes crecientes de carácter destructivo.

(d) Tanto la Secretaría de Comunicaciones y Obras Públicas de México como la Ciudad y el Condado de El Paso, han gastado en unos cuantos años más de Dls. 750.000.00 para proteger contra inundaciones las ciudades de Juárez y El Paso, así como sus respectivos Valles. Estas obras de protección consisten en su mayor parte de diques construidos siguiendo las márgenes del cauce divagante, los cuales deben ser continuamente reforzados y reparados como consecuencia del ascenso del cauce del Río; siendo necesario adoptar un programa de trabajos coordinado y eficaz a fin de lograr una protección efectiva y permanente.

## II.—INFORME DETALLADO.

Después de que fué sometido a la Comisión el informe preliminar unido fechado en diciembre de 1928, se han efectuado los trabajos de localización del tramo del Río comprendido entre las Ciudades de Juárez-El Paso y el Cañón de Cajoncitos. Estos trabajos han proporcionado datos topográficos adicionales que, en gran parte, sirven de base al presente informe.

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#### 1.—DESCRIPTION.

(a) The Rio Grande is a sediment bearing stream and as such is constantly building up its bed, and would from this cause, in time of flood, change its channel to a lower location where it would again start building up its bed and repeat the cycle at some future flood stage. This phase of changing channel has been largely prevented thru El Paso-Juarez Valley by the construction of artificial works, such as railroad and road grades, canal and drain banks, and in late years, levees. Under these conditions the river bed has been continuously elevated. The Elephant Butte Dam was completed in the year 1916, and as a result of its function of providing an irrigation supply during years of low run-off, it stores the floods, which previous to its construction had passed on down the river. The action of these floods was to scour out the river channel, partly by carrying deposits on thru the valleys and partly by making deposits upon the valley floor whenever bank overflow stage was reached. The absence, since the completion of Elephant Butte Dam, of large scouring floods has changed the characteristics of the river channel thru the El Paso-Juarez Valley. Although large floods have been controlled behind the Elephant Butte Dam, smaller floods from the run-off area lying between Elephant Butte and El Paso-Juarez are of annual occurrence. These usually occur during the rainy season, that is, in August and September, and are generally flashy in character, the peak lasting only a few hours, and would pass harmlessly thru the valley were it not for the elevated bed.

#### 1.—DESCRIPCION.

(a) El Río Bravo (Grande), es una corriente de carácter sedimentario y por lo tanto sobre-eleva continuamente su lecho, lo que da lugar a que en épocas de crecientes cambie de cauce pasando a localizaciones más bajas, donde vuelve a sobre-elevar su lecho, repitiéndose indefinidamente este proceso. Esta fase de cambios de cauce, ha sido en gran parte prevenida, a través del Valle de Juárez-El Paso, por la construcción de obras artificiales como terraplenes de ferrocarriles y de caminos, bordos de canales de riego y drenaje y, en los últimos años, diques de protección contra inundaciones. En estas circunstancias el lecho del Río ha continuado sobre-elevándose. La Presa del Elefante terminada el año de 1916, al llenar su objeto, que consiste en asegurar una dotación permanente para el riego de terrenos durante los años de poca precipitación, almacena las crecientes que, antes de su construcción, pasaban Río abajo. El efecto de estas crecientes era socavar el cauce del Río, arrastrando parte de los azolvres y depositando otra parte sobre los terrenos adyacentes al desbordarse la corriente. La carencia de fuertes crecientes erosivas después de la terminación de la Presa del Elefante, marcó el cambio del régimen de la corriente en el Valle de Juárez-El Paso. A pesar de que las grandes avenidas se almacenan en el vaso del Elefante, anualmente ocurren crecientes más pequeñas que provienen de la cuenca tributaria del Río entre el Elefante y Juárez-El Paso. Estas últimas crecientes se presentan durante la estación de lluvias, generalmente en los meses de agosto y septiembre; son repentinamente y de poca duración y pasarían a través del Valle sin causar daños si no fuese por la posición elevada del cauce del Río con respecto a los terrenos adyacentes.

(b) With the first release of clear water from Elephant Butte, a limited scouring of the river channel began immediately below the dam. The clear water picked up the finer particles of silt and sand and carried them downstream. This effect has reached some forty miles (64 kilometers) below Elephant Butte, and might eventually reach El Paso-Juarez and degrade the river thru the El Paso-Juarez Valley, were it not for the annual increment of sand, gravel and silt brought into the river channel from the many side arroyos which debouch into the stream along its course between the dam and El Paso-Juarez. Even this annual increment of sand might be carried on were it not for the need of diverting the flow onto lands for irrigation. Three diversions are made above El Paso, one each at Percha, the Leasburg, and the Mesilla Dams. The main diversions in the El Paso Valley are at the International Dam, where lands of both countries are served, and at the Riverside and Tornillo headings, where supplementary diversions to American lands are made. At each of these diversions sand skimming and canal sluicing devices are used so that a great percentage of the sand and silt is returned to the river bed, while a great percentage of the water is diverted for the irrigation of the lands. This process continuously returns the sand to the river bed while also continuously depleting the volume, and hence the carrying capacity.

#### 2.—CABALLO DAM AND RESERVOIR

(a) The uncontrolled drainage areas which lie between Elephant Butte and El Paso-Juarez total about eight thousand (8,000) square miles (20,700 square kilometers). Large parts of this area

(b) Al salir por primera vez de la Presa del Elefante una corriente de agua limpia se inició una socavación restringida del cauce del Río inmediatamente abajo de la Presa. El agua limpia arrastró consigo las partículas más finas de arena y sedimento. Este efecto se ha hecho sentir aproximadamente hasta a 64 kilómetros (40 millas) abajo de la Presa del Elefante y quizás hubiera llegado hasta Juárez y socavado el Río a través del Valle de Juárez-El Paso, si no fuese por el incremento anual de arena, grava y sedimento descargado en el Río por los numerosos arroyos que desembocan en el tramo de su recorrido entre el Elefante y Juárez-El Paso. Quizás hubiese sido posible el acarreo de este incremento de arena, si no existiese la necesidad de derivar para riego una parte del gasto de estiaje. Aguas arriba de El Paso se hacen tres derivaciones, en cada una de las Presas de Percha, Leasburg y Mesilla. Las principales derivaciones en el Valle de Juárez-El Paso, se hacen: en la Presa Internacional, para regar terrenos en ambos países; y en las bocanadas de los canales Riverside y Tornillo para completar el riego de terrenos en Territorio Americano. En las obras de toma de los canales, en cada una de estas derivaciones, se usan dispositivos para desarenarlas y limpiarlas volviéndose al Río una gran parte de la arena y limo depositados en ellas, a la vez que un volumen considerable de agua se deriva para riego de terrenos. Este proceso continuamente devuelve la arena al lecho del Río y disminuye continuamente el gasto de estiaje y, por lo tanto, la capacidad de transporte de la corriente.

#### 2.—PRESA Y VASO DE CABALLO.

(a) La superficie no controlada de la cuenca del Río entre el Elefante y Juárez-El Paso, tiene aproximadamente 20.700 kilómetros cuadrados (8.000 millas cuadradas). Una gran parte de

Minute No. 129 of International Boundary Commission—Contd. have dead drainage with no direct outlet into the Rio Grande. About two thousand three hundred (2300) square miles (6,000 square kilometers) drain directly into the river, of which some one thousand two hundred (1200) square miles (3100 square kilometers) are above and would be controlled by a dam constructed at the Caballo site.

(b) This damsite is located in Sierra County, New Mexico on the Rio Grande about twenty-two (22) miles (35 kilometers) below Elephant Butte Dam. Studies of the Caballo Dam and the resulting reservoir have been made by the Bureau of Reclamation, Department of the Interior, United States Government, in conjunction with the proposed water power development at Elephant Butte. These studies were begun in the year 1924 and included the surveying of the site, the testing of the foundation, the design and cost estimates of structures of various heights, and the effect on water supply and flood control. Two reports were written by the United States Bureau of Reclamation engineers, covering this dam and related features, one dated December 15, 1924, and the other April 1925.

### 3.—RIVER DISCHARGE AT EL PASO-JUAREZ

(a) Floods at El Paso-Juarez occurring since the completion of Elephant Butte Dam have been built up from the run-off of the area between Elephant Butte and El Paso-Juarez, supplemented by the concurrent irrigation discharge from the reservoir. There is a possibility that such floods would be increased at such times when the reservoir was full and water passing over the spillway.

esta área la forman cuencas cerradas que carecen de salida directa al Río Bravo (Grande).—De los 6000 kilómetros cuadrados (2300 millas cuadradas) que aproximadamente son tributarios directos del Río, 3.100 kilómetros cuadrados (1.200 millas cuadradas), quedan arriba del lugar denominado Caballo y el escurrimiento de esta última área podría controlarse por una presa que se construyera en dicho sitio.

(b) La boquilla de "Caballo" está en el Río Grande, en el Condado de Sierra, del Estado de Nuevo México, aproximadamente a 35 kilómetros (22 millas) abajo de la Presa del Elefante. Como parte del estudio del proyecto de desarrollo de fuerza motriz en la Presa del Elefante, el "Bureau of Reclamation", dependiente del Departamento del Interior de los Estados Unidos, hizo los estudios de la Presa y Vaso de Caballo. Estos estudios se iniciaron el año de 1924 e incluyeron los trabajos de topografía del vaso, los experimentos del terreno de cimentación, y proyectos y presupuestos para estructuras de diversas alturas, considerando sus efectos sobre el abastecimiento de agua y retención de la misma para fines de protección contra inundaciones. Los Ingenieros de la Oficina del "Reclamation" prepararon dos informes acerca del proyecto de esta Presa, fechados, uno el 15 de diciembre de 1924 y el otro en abril de 1925.

### 3.—GASTOS DEL RIO EN JUAREZ-EL PASO

(a) Las crecientes que han pasado enfrente de Juárez-El paso, después de la construcción de la Presa del Elefante, han provenido de precipitaciones en la cuenca tributaria del Río Grande entre el Elefante y El Paso, que se han sumado a la dotación para riego que proviene del vaso del Elefante. Estas crecientes hubieran sido mayores si el receptáculo se hubiera encontrado lleno y el agua estuviera derramándose por el Vertedor de Demasías.

## 4.—PROBABLE SPILL AT ELEPHANT BUTTE DAM.

(a) An estimate of the probable spill at Elephant Butte Dam has been made from a study of the spills as shown in the report of the Denver office of the Bureau of Reclamation, dated March 10, 1928 and entitled "Review of Quinton, Code and Hill Reports on Elephant Butte Power Development of July 2, 1927 and September 30, 1927". This review sets up the following assumptions:

1.—Irrigation storage is to be carried to elevation 4401, leaving six feet (1.83 meters), or the elevation 4407, for flood control storage. This six feet (1.83 meters) will store two hundred thirty-nine thousand (239,000) acre feet (294,806,000 cubic meters). Additional flood control storage of about one hundred thousand (100,000) acre feet (123,350,000 cubic meters) is available to elevation 4410, at which height a discharge of about four thousand five hundred (4,500) second feet (128 cubic meters per second) will be passing over the spillway crest.

2.—Irrigation demand is to be limited to seven hundred thousand (700,000) acre feet (863,450,000 cubic meters) annually when on June 30th of any year the reservoir content is less than one million five hundred thousand (1,500,000) acre feet (1,850,250,000 cubic meters). Irrigation demand is to be limited to seven hundred eighty-seven thousand (787,000) acre feet (970,764,000 cubic meters) annually when on June 30th of any year the reservoir content is more than one million five hundred thousand (1,500,000) acre feet (1,850,250,000 cubic meters).

3.—Reservoir capacity depletion thru silt deposit is at the average rate of twenty thousand (20,000) acre feet (26,670,000 cubic meters) per year.

## 4.—PROBABLES DEMASIAS DE LA PRESA DEL ELEFANTE.

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(a) En un estudio hecho por la Oficina de Denver del "Bureau of Reclamation" fechado el 10 de marzo de 1928 y titulado "Review of Quinton, Code and Hill Reports on Elephant Power Development of July 2, 1927 and September 30, 1927" se hace la estimación de las probables Demasías de la Presa del Elefante. Este estudio establece los siguientes supuestos:

1.—El almacenamiento para riego debe limitarse hasta la cota 4401, dejando 1.83 Mts. (6 pies), o hasta la cota 4407, para almacenamiento de protección contra inundaciones. En esta altura de 1.83 Mts. (6 pies) se almacenará un volumen de 294,806,000 metros cúbicos (239,000 acres pies). Puede obtenerse un almacenamiento adicional para protección contra inundaciones con volumen aproximado de 123,350,000 metros cúbicos (100,000 acres pies) hasta la cota 4410, altura a la cual escurrirá sobre la Cresta del Vertedor de Demasías un gasto de 128 metros cúbicos por segundo (4500 pies cúbicos por segundo).

2.—El volumen necesario para cubrir las necesidades del riego debe limitarse a 863,450,000 metros cúbicos (700,000 acres pies) anualmente, cuando el contenido del receptáculo el 30 de junio de un año cualquiera sea menor de 1,850,250,000 metros cúbicos, (1,500,000 acres pies). El volumen para riego debe limitarse a 970,764,000 metros cúbicos (787,000 acres pies) anuales, cuando el contenido del receptáculo el 30 de junio de un año cualquiera, excede de 1,850,250,000 metros cúbicos (1,500,000 acres pies).

3.—La diminución de la capacidad del vaso por azolve se estima a razón de 24,670,000 metros cúbicos (20,000 acres pies) al año.

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4.—San Marcial, New Mexico inflow records are corrected for changed conditions above.

5.—The cycle of inflow, with the corrections, will repeat using the year 1898 as equal to 1930; the reservoir was full on January 1, 1898, and the irrigation storage capacity had been depleted by silt inflow to two million one hundred thousand (2,100,000) acre feet, (2,580,350,000 cubic meters) on that date.

(b) These assumed conditions required the theoretical use of flood storage in the years 1930, 1937, 1944, 1948, 1953, 1954, and 1956, with the maximum requirements coming in 1956. If a flow of four thousand five hundred (4500) second feet (128 cubic meters per second) was started in 1956 at the time the water reached elevation 4401 or the limit of irrigation storage a flow over the spillway of 4500 second feet (128 cubic meters) would have been just reached at the end of the flood. This condition occurs but once in the assumed cycle of thirty years and spill has not been necessary during the fifteen years of actual reservoir operation 1915–1930. Therefore, it seems safe to assume that the probable spill from Elephant Butte Dam will not at any time be more than six thousand (6,000) second feet (171 cubic meters per second).

#### 5.—PROBABLE FLOODS AT EL PASO-JUAREZ.

(a) The largest flood at El Paso-Juarez since the building of Elephant Butte Dam occurred<sup>1</sup> on September 1, 1925 when a peak of thirteen thousand five hundred

4.—Los registros de gastos de entrada en San Marcial, Nuevo México, han sido corregidos de acuerdo con el cambio de las condiciones arriba de este punto.

5.—El ciclo de gasto de entrada, con sus correcciones, se repetirá considerando el año de 1898 igual al de 1930; considerando el vaso lleno en el primero de enero de 1898, y su capacidad de almacenamiento en esa fecha, reducida por causa del azolve, a 2,580,350,000 metros cúbicos (2,100,000 acres pies).

(b) Estas condiciones que se han supuesto, exigieron el uso teórico del almacenamiento de protección contra inundaciones, en los años de 1930, 1937, 1944, 1948, 1953, 1954 y 1956, correspondiendo las exigencias máximas al año de 1956. En este año de 1956 el máximo de demasías al final de una creciente cualquiera no excederá de 128 metros cúbicos (4500 pies cúbicos) por segundo, siempre que desde que el almacenamiento para riegos llegue a su altura máxima, cota 4401, se deje salir por las compuertas de la Presa un gasto de 128 metros cúbicos (4500 pies) por segundo y éste se regule hasta suprimirlo cuando el derrame por el vertedor de demasías llegue a su máximo de 128 metros cúbicos (4,500 pies) cúbicos por segundo. Esto no ocurre sino una vez en el ciclo de 30 años considerado; y durante los 15 años de funcionamiento del vaso, de 1915 a 1930, no ha habido derrames por el vertedor de demasías. En consecuencia, se cree quedar del lado de la seguridad, suponiendo un gasto probable de Demasías de la Presa del Elefante de 170 metros cúbicos (6,000 pies cúbicos) por segundo.

#### 5.—GASTO PROBABLE DE CRECIENTES FRENTE DE JUAREZ-EL PASO.

(a) La mayor creciente frente a Juárez-El Paso, después de la construcción de la Presa del Elefante, se presentó el 10. de Septiembre de 1925, habiendo alcan-

<sup>1</sup> So in original.

(13,500) second feet (382 cubic meters per second) passed the gaging station at Courchesne. This flood resulted from heavy rainfall in the Black Range between Elephant Butte and Leasburg, on top of a flow of two thousand (2000) second feet (57 cubic meters per second) already released from the reservoir. If a spill of six thousand (6000) second feet (170 cubic meters per second) was occurring<sup>1</sup> at the time of this flood, a peak of about eighteen thousand (18,000) second feet (510 cubic meters per second) would have occurred at El Paso-Juarez. If the Caballo Dam and reservoir had been available at the time of this flood, and if the six thousand (6000) second feet (170 cubic meters per second) of spill was occurring at Elephant Butte, prior information of rain on the tributaries would have permitted the closing of the Caballo gates before the flow of the tributaries could have reached the Rio Grande, and the resulting peak at El Paso-Juarez could have been reduced to between ten thousand (10,000) and eleven thousand (11,000) second feet (283 and 314 cubic meters per second). The Caballo reservoir, by controlling one-half of the direct drainage area, and by acting as a temporary check on the spills from Elephant Butte Dam will reduce by almost one-half the probable peak at El Paso-Juarez.

zado un gasto máximo de 382 metros cúbicos (13.500 pies cúbicos) por segundo en la Estación de Aforos de Courchesne. Esta creciente fué el resultado de fuertes precipitaciones en la región de "Black Range" entre el Elefante y Leasburg que llegaron al Río cuando éste llevaba un gasto de 57 metros cúbicos (2000 pies cúbicos) por segundo que habían salido del vaso del Elefante. Si al llegar esta creciente hubiese estado pasando por el vertedor de Demasías de la Presa un gasto de 170 metros cúbicos (6.000 pies cúbicos) por segundo, la creciente frente a Juárez-El Paso habría llegado a un máximo de 510 metros cúbicos (18.000 pies cúbicos) por segundo. Si en la época de esta creciente hubieran existido la presa y el vaso de Caballo, y si a la vez hubiesen estado derramando los 170 metros cúbicos (6.000 pies cúbicos) por segundo de Demasías de la Presa del Elefante, el aviso previo de lluvias sobre los arroyos tributarios, habría permitido cerrar las compuertas en Caballo antes de que la creciente de los arroyos llegara al Río Grande; lo que habría permitido reducir el máximo de creciente en Juárez-El Paso hasta un gasto entre 283 y 314 metros cúbicos (10.000 y 11.000 pies cúbicos) por segundo. Como el vaso de Caballo controlará la mitad del área directamente tributaria del Río Grande abajo del Elefante, al retener temporalmente el volumen de Demasías de dicha Presa del Elefante, reducirá casi a la mitad el máximo de crecientes frente a Juárez-El Paso.

#### 6.—DRAINAGE AREA IN EL PASO-JUAREZ VALLEY.

##### *At El Paso-Juarez*

(a) The Arroyo Colorado empties into the river immediately above the city of Juarez, Chihuahua, Mexico. This arroyo has been estimated to have had a peak flood of some three thousand (3,000) second feet (85 cubic

#### 6.—AREA TRIBUTARIA DEL RIO EN EL VALLE DE JUAREZ-EL PASO.

##### *(a) Frente a Juárez-El Paso.*

El Arroyo Colorado desemboca en el Río inmediatamente arriba de Ciudad Juárez, Chihuahua, México. Se considera que las crecientes de este arroyo han llegado a 85 metros cúbicos (3.000 pies cúbicos) por segundo. Hay

<sup>1</sup> So in original.

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meters per second). Other smaller arroyos empty into the river directly above the International Dam. Their drainage areas are small, and their discharge, together with that of the Arroyo Colorado, cannot increase the peak floods in the Rio Grande except in the improbable event of their occurrence simultaneously with the peak flow past El Paso-Juarez. Additional freeboard has been allowed in the design to take care of this improbable occurrence.

otros pequeños arroyos que desembocan en el Río inmediatamente aguas arriba de la Presa Internacional. Sus áreas de drenaje son pequeñas y sus gastos, unidos al del Arroyo Colorado, no pueden aumentar el máximo de crecientes del Río Bravo, sino en el caso improbable de que se presenten simultáneamente con la cresta de las crecientes en frente de Juárez-El Paso. Para tomar en consideración esta simultaneidad poco probable, se ha dado una sobre-elevación de seguridad a la corona de los bordos.

#### *Below El Paso-Juarez*

(b) Practically no direct discharge of side drainage occurs below El Paso-Juarez until the Arroyo Alamo in Hudspeth County is reached. Below this point three large arroyos and many small ones empty directly into the river. The total drainage area on the American side between the Arroyo Alamo and Quitman Canyon is six hundred eighty (680) square miles (1760 square kilometers), of which four hundred ninety (490) square miles (1270 square kilometers) have direct discharge into the river and one hundred ninety (190) square miles (490 square kilometers) are indirectly discharged into the river. The drainage area on the Mexican side is considerably less, although, due to the absence of maps, little detail knowledge is available. However, no arroyos empty directly into the river from the south until considerably below the town of McNary, Texas, and observations of the arroyo channels below this point show that their drainage areas are probably limited and their discharges small.

(c) The three largest arroyos on the American side are: the Alamo, with a drainage area of one hundred forty-five (145) square miles (375 square kilometers); the Diablo, with a drainage area of sixty-two (62) square miles (160 square kilometers); and the Guayuco, with a drainage

#### *(b) Abajo de Juárez-El Paso.*

Puede decirse que no hay ningún desagüe de arroyos abajo de Juárez-El Paso, sino hasta llegar al Arroyo del Alamo en el Condado de Hudspeth. Abajo de este punto desembocan directamente en el Río tres arroyos grandes y otros muchos pequeños. El área total de drenaje en el lado Americano entre el Arroyo del Alamo y el Cañón de Quitman, es de 1760 kilómetros cuadrados (680 millas cuadradas), de los cuales 1270 kilómetros cuadrados (490 millas cuadradas), descargan directamente en el Río y 490 kilómetros (190 millas) cuadrados descargan indirectamente en la corriente. El área de drenaje en el lado Mexicano es mucho menor, sin que se conozca en detalle por la carencia de planos de esta región. Sin embargo, no hay arroyos que, del Sur, entren directamente al Río, sino hasta muy abajo de la población de McNary, Texas, pudiendo deducirse de la inspección de los cauces de los arroyos abajo de este lugar, que sus áreas de drenaje son probablemente limitadas y sus gastos pequeños.

(c) Los tres arroyos más grandes en el lado Americano, son: el del Alamo, con una área de drenaje de 375 kilómetros cuadrados (145 millas cuadradas); el del Diablo, con una área de drenaje de 160 kilómetros cuadrados (62 millas cuadradas); y el del Guayuco, con una área de drenaje de

area of one hundred sixty-five (165) square miles (427 square kilometers). The Alamo and the Guayuco have been known to discharge in excess of five thousand (5,000) second feet (142 cubic meters per second), and hearsay information gives probable peaks of twice that amount. If such flows should occur at the time the peak of a flood from upper river sources was passing, doubtless the designed channel would be overtaxed. Some additional safety has been provided by increasing the freeboard a short distance above and below these arroyos. However, as these arroyos empty into the river channel well below most of the area to be protected, it will be uneconomical to make any large expenditures against unlikely possibilities.

(d) The discharge from these arroyos must be taken into the channel and the location has been made at some distance from the present arroyo mouths to permit, in a measure, the deposit of detritus before the flows reach the channel.

#### 7.—THE RIVER ABOVE EL PASO-JUAREZ

(a) The distance by the river between Elephant Butte and El Paso-Juarez is about one hundred fifty (150) miles (241 kilometers), and the valley axial distance is about one hundred twenty (120) miles (193 kilometers). Immediately below the dam the river passes thru fifteen miles (24 kilometers) of canyon where the fall varies from .00037 (1.94 feet per mile) to .00080 (4.26 feet per mile) then thru the Palomas Valley for thirteen miles (21 kilometers) with a fall of .00080 (4.26 feet per mile), then thru three miles (5 kilometers) of canyon where the Caballo damsite is located, then thru the Rincon Valley, the first seven miles (11 kilometers) of which have an average fall of .00074 (3.93 feet per mile), and

427 kilómetros cuadrados (165 millas cuadradas). Se sabe que los gastos de los arroyos del Alamo y del Guayuco han excedido de 142 metros cúbicos (5000 pies cúbicos) por segundo y se dice que el máximo puede ser del doble. Si estas crecientes ocurriera al pasar la cresta de la avenida proveniente de la parte alta del Río, el canal proyectado indudablemente resultaría sobrecargado. Se ha previsto un margen de seguridad adicional, sobre elevando la corona de los bordos en cortos tramos inmediatamente arriba y abajo de estos arroyos. Sin embargo, puesto que los arroyos de que se trata desembocan en el Río bastante abajo de la mayor parte del área por proteger, se considera anti-económico hacer una fuerte erogación para preverse contra estas contingencias poco probables.

(d) Como la corriente de estos arroyos debe admitirse dentro del cauce del Río, éste se ha localizado a alguna distancia de la desembocadura actual de los arroyos, a fin de permitir en cierto modo el depósito de detritus antes de que la corriente de dichos arroyos llegue al cauce del Río.

#### 7.—EL RIO ARRIBA DE JUAREZ-EL PASO.

(a) La distancia entre la Presa del Elefante y Juárez-El Paso es de cerca de 241 kilómetros (150 millas) a lo largo del Río, mientras que la distancia por el eje de los Valles es de 193 kilómetros (120 millas). Inmediatamente abajo de la Presa, el Río pasa por un cañón de 24 kilómetros (15 millas) de longitud, con una pendiente que varía entre 0.00037 y 0.00080 (de 1.94 a 4.26 pies por milla); recorre después el Valle de Palomas, con un desarrollo de 21 kilómetros (13 millas) y una pendiente de 0.00080 (4.26 pies por milla); sigue por un cañón de 5 kilómetros de longitud (3 millas) en el que está situada la Boquilla de Caballo; y pasa el Valle de Rincón, en el que la pendiente es de 0.00074, (3.93 pies por milla)

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the last fourteen miles (22 kilometers) a fall of .00064 (3.40 feet per mile). The river then traverses seven miles (11 kilometers) known as the Selden Canyon, where the average fall is .00064 (3.4 feet per mile), and then reaches the Leasburg Dam which is at the head of the Mesilla Valley. From Leasburg Dam to Mesilla Dam, a distance of twenty four miles (39 kilometers), the river has a fall of .00073 (3.84 feet per mile). From Mesilla Dam to Canutillo Bridge, a distance of twenty-eight miles (45 kilometers) the river has a fall of .00070 (3.67 feet per mile), and from the Canutillo Bridge to the International Dam, some nineteen miles (30 kilometers) the river has a fall of .00048 (2.53 feet per mile).

(b) As previously stated, the effect of the release of clear water from Elephant Butte Dam has been to degrade the river bed in the upper reaches immediately below the dam, and to build it up thru the El Paso-Juarez Valley. There is necessarily a stretch of river between these two actions which is quiescent, where neither degradation nor building up is going on. Studies of river sections indicate that the river bed thru the lower Mesilla Valley rests in this state.

#### 8.—THE RIVER BELOW EL PASO-JUAREZ

(a) The length of the channel of the river between El Paso-Juarez and the Quitman Canyon is about one hundred fifty<sup>1</sup>-five (155) miles (250 kilometers) while the length measured along the valley axis is eighty-five (85) miles (137 kilometers). The fall of the river is about .00034 (1.82 feet per mile) while the fall of the valley is .00061 (3.20 feet per mile). It is thus seen that if the alignment of the river can be straightened a fall of approximately .00061 (3.2 feet per mile)

en los primeros once kilómetros (7 millas) y de 0.00064 (3.40 pies por milla) en los últimos 22 kilómetros (14 millas). El Río atraviesa en seguida el cañón Selden de 11 kilómetros de longitud (7 millas) con una pendiente media de 0.00064 (3.40 pies por milla) y llega a la presa de Leasburg, situada en la parte alta del Valle de Mesilla. Desde la Presa de Leasburg hasta la de Mesilla, el Río tiene 39 kilómetros de longitud (24 millas) con una pendiente de 0.00073 (3.84 pies por milla). Desde la Presa de Mesilla hasta el Puente de Canutillo, la longitud del Río es de 45 kilómetros (28 millas) con una pendiente de 0.00070 (3.67 pies por milla), y desde el Puente de Canutillo hasta la Presa Internacional, la longitud es de 30 kilómetros (19 millas) y la pendiente de 0.00048 (2.53 pies por milla).

(b) Como se ha dicho antes, el efecto de la salida de agua clara de la Presa del Elefante ha sido el de socavar el lecho del Río en la región inmediatamente abajo de la Presa, y azolvárselo en el Valle de Juárez-El Paso. Debe existir forzosamente un tramo del Río en el que estas dos acciones se equilibren, y en el que, por lo tanto, no se verifica ni socavación ni azolve. Estas condiciones existen en la parte baja del Valle de Mesilla, según lo demuestra el estudio de las secciones del Río.

#### 8.—EL RÍO ABAJO DE JUAREZ-EL PASO.

(a) La longitud aproximada del cauce del Río entre Juárez-El Paso y el cañón de Quitman es de 250 kilómetros (155 millas), mientras que la distancia medida a lo largo del eje del Valle es de 137 kilómetros (85 millas). La pendiente del Río es aproximadamente de 0.00034 (1.82 pies por milla), en tanto que la pendiente del Valle es de 0.00061 (3.20 pies por milla). Por lo tanto se ve que si se endereza el alineamiento del Río, puede obtenerse una pendiente aproximada de 0.00061,

<sup>1</sup>So in original.

can be obtained. It will be noted that this fall is in excess of that in the last stretch of the Mesilla Valley, or between Canutillo Bridge and the International Dam, where a fall of .00048 (2.53 feet per mile) was indicated and that this fall of .00061 (3.2 feet per mile) is somewhat under that of .00070 (3.67 feet per mile) for the upper part of the Mesilla Valley. If the lower stretch of the river in the Mesilla Valley is in equilibrium, that is, shows neither scour nor fill, with a gradient of .00048 (2.53 feet per mile) the river thru the El Paso-Juarez Valley must have a greater gradient to reach the same state of equilibrium since the quantities of water normally carried are greatly reduced at the International Dam

(3.20 pies por milla). Esta pendiente es mayor que la del tramo inferior del Valle de Mesilla y que la del tramo entre el Puente de Canutillo y la Presa Internacional, puesto que la pendiente en este ultimo tramo es de 0.00048 (2.53 pies por milla); en cambio, dicha pendiente de 0.00061 (3.20 pies por milla) es ligeramente inferior a la pendiente del tramo superior del Valle de Mesilla, que es de 0.00070 (3.67 pies por milla). Ahora bien, si con una pendiente de 0.00048 (2.53 pies por milla) el Río está en equilibrio en el tramo inferior del Valle de Mesilla, puesto que no hay ni socavación ni azolve, debe darse al Río mayor pendiente en el Valle de Juárez-El Paso para llegar a alcanzar el mismo estado de equilibrio, ya que la cantidad de agua que escurre normalmente se reduce mucho en la Presa Internacional.

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### III.—PROPOSED PLAN

(a) The treatment to be given the river thru the valley to increase the fall from .00034 (1.82 feet per mile) to .00061 (3.2 feet per mile), in order to accelerate the velocity and to let the current of the river carry along the burden of sand and sediment, which has caused the rapid river bottom rising, so marked since the construction of the Elephant Butte Dam, consists of a general straightening following the present channel of the river wherever possible, and cutting across the bends where necessary to decrease length. Along each side of the new channel, and also along each side of the present river where followed, levees will be built of sufficient height and far enough apart to pass the floods. The channel thus created will always be kept clear of brush and other obstructions which might retard the flow. In the alignment, due consideration has been given to the general principle of the compensation of the artificially segregated areas, in order to equalize

### III.—PROYECTO

(a) A fin de aumentar la pendiente del Río en el Valle de Juárez-El Paso de 0.00034 (1.82 pies por milla) a 0.00061 (3.20 pies por milla) y acelerar la velocidad de la corriente de modo que ésta pueda acarrear el azolve que ha determinado el ascenso rápido del fondo del Río, tan marcado desde la construcción de la Presa del Elefante, se proyecta modificar el Río enderezándolo en lo general, siguiendo el cauce actual en donde sea posible, y cortando las vueltas cuando sea necesario, a fin de disminuir la longitud. A cada lado del cauce nuevo y a los lados del cauce actual del Río en donde se siga éste, se construirán diques de altura suficiente y a distancia conveniente para permitir el paso de las avenidas. El cauce así formado se conservará siempre libre de yerbas y obstrucciones que pudieran retardar el escurrimiento. Al hacer el trazo se ha atendido como principio fundamental a igualar las áreas que se segreguen artificialmente, a fin de que la extensión total que

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the areas which will be cut from one country with those which will be cut from the other.

(b) This treatment brings about the result that the right-of-way to be acquired by each nation will balance practically in area. In general, the water-way proposed will consist of a normal channel of similar size and capacity to the present river bed, with levees set back with a total distance of about five hundred ninety (590) feet (180 meters) between them. Levees will be wide enough on top to permit travel for inspection and repair. The alignment has been so chosen as to avoid as far as possible all highly improved and cultivated areas, but at many places this was impracticable due to the meanderings of the river channel.

(c) The above plan of shortening the river by cut-offs is feasible in this case because Elephant Butte Dam, in conjunction with the proposed Caballo Dam and reservoir, will give practically complete control of the floods. Consequently the river thru the El Paso-Juarez Valley will take on more the nature of a large central drain or canal than a river.

#### IV.—BASIS OF ESTIMATE.

##### 1.—Cost of Caballo Reservoir

(a) The cost of the Caballo Dam, including the purchase of the lands to be submerged, has been estimated by the Bureau of Reclamation at about one million two hundred fifty thousand dollars (\$1,250,000) for the one hundred thousand (100,000) acre feet (123,350,000 cubic meters) capacity.

(b) The volume of water passing the Caballo Damsite during the flood of September 1925 was in the neighborhood of twenty-five thousand (25,000) acre feet (30,837,000 cubic meters). Storage in excess of this amount must be

se corte de un país, sea igual a la que se corte del otro.

(b) El trazo hecho de acuerdo con este principio, dà lugar a que las zonas de derecho de vía que debe adquirir cada nación sean prácticamente iguales en extensión. En términos generales, el cauce artificial proyectado consistirá de un cauce de estiaje de dimensiones y capacidad semejantes a las del actual lecho menor del Río y de un cauce mayor limitado en ambos lados por diques distantes como 180 metros (590 pies) uno de otro. Estos diques tendrán un ancho en corona bastante para permitir el tráfico para fines de inspección y reparación. El trazo se ha hecho procurando, en lo posible, no cruzar terrenos cultivados o con mejoras; pero en algunos lugares ésto ha sido impracticable debido a las sinuosidades del Río.

(c) El proyecto de acortamiento del Río por cortes artificiales es factible porque el efecto combinado de las Presas del Elefante y de Caballo, será el de controlar casi por completo las crecientes, y en consecuencia el Río adquirirá más bien los caracteres de un gran canal central en el Valle de Juárez-El Paso.

#### IV.—BASES PARA EL PRESUPUESTO

##### 1.—Costo de la Presa de Caballo.

(a) El costo de la Presa de Caballo, incluyendo la adquisición de los terrenos que resulten inundados, ha sido estimado por el "Bureau of Reclamation" en cerca de un millón doscientos cincuenta mil dólares para un almacenamiento de 123,350,000 metros cúbicos (100,000 acres pies).

(b) El volumen de agua que pasó por el sitio de la Presa de Caballo durante la creciente de Septiembre de 1925 fué alrededor de 30,837,000 metros cúbicos (25,000 acres pies). El vaso debe tener capacidad mayor, pa-

provided to take care of possible larger floods and silt depletion. Provision must also be made to store the probable spill from Elephant Butte during times of flood run-off below the dam. Fifty thousand (50,000) acre feet (61,675,000 cubic meters) are allowed for this item and would probably store three or four days' spill. This would permit the floods entering below Caballo to have receded.

(c) Of the total proposed storage of one hundred thousand (100,000) acre feet (123,350,000 cubic meters) approximately fifty thousand (50,000) acre feet (61,675,000 cubic meters) are allowed for flood storage and silt depletion, and fifty thousand (50,000) acre feet (61,675,000 cubic meters) for the control of spill from Elephant Butte.

### 2.—*Segregated Tracts.*

(a) In order that neither nation shall sacrifice national area, it is required that the total land to be segregated or cut off from one country shall equal that to be segregated or cut off from the other. On the attached maps these tracts and their total areas have been shown. Fifty-nine (59) separate tracts will be cut from Mexico and sixty-five (65) separate tracts will be cut from the United States. Their areas vary from 0.10 hectares (.25 acre) to 151 hectares (377 acres). The approximate total area to be cut from Mexico is one thousand four hundred (1400) hectares (3460 acres) and the approximate total area to be cut from the United States is one thousand four hundred (1400) hectares (3460 acres).

### 3.—*San Elizario Island.*

(a) Two alternate routes for the location of the rectified channel along the San Elizario Island are shown on Exhibit No. 2. One

ra recibir azolves y crecientes más grandes que pueden ocurrir. Debe también preverse una capacidad suficiente para retener las demás probables de la Presa del Elefante durante la época de crecientes abajo de la Presa, habiéndose destinado a este fin un volumen de 61.675,000 metros cúbicos (50.000 acres pies), que corresponde al derrame de la Presa del Elefante durante tres o cuatro días. De esta manera se dará tiempo a que bajen las crecientes abajo de Caballo, antes de que sea necesario dejar salir agua de esta Presa.

(c) Del almacenamiento total proyectado de 123.350,000 metros cúbicos (100.000 acres pies), la mitad aproximadamente, o sean 61.675,000 metros cúbicos (50.000 acres pies) se destinan al almacenamiento de aguas de creciente y al azolve, y la otra mitad, o sean 61.675,000 metros cúbicos (50.000 acres pies) al control de las demás del Elefante.

### 2.—*Terrenos por Segregar.*

(a) A fin de que ninguno de los dos países sufra pérdida de territorio Nacional, se ha establecido como requisito fundamental que la extensión total de terreno que se segregue de un país sea igual a la que se segregue del otro. En los planos adjuntos aparecen estos terrenos por segregar y sus áreas totales, figurando 59 parcelas que deberán segregarse de México y 65 parcelas por separar de los Estados Unidos, con áreas variables desde 0.10 hectáreas (0.25 acres) hasta 151 hectáreas (377 acres). La extensión total aproximada que se segregará de México es de 1400 hectáreas (3460 acres) y la extensión total aproximada que se segregará de los Estados Unidos es también de 1400 hectáreas (3460 acres).

### 3.—*Isla de San Elizario.*

(a) En el anexo No. 2 aparecen a lo largo de la Isla de San Elizario dos trazos para el cauce rectificado, de los cuales uno

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route follows in a general way the present river while the other follows in a general way the present boundary. The two routes are almost identical in length, and have practically the same gradient and grade elevation.

(b) The river route, by following the present river, is located entirely in the United States and passes thru areas largely undrained and uncultivated, while the boundary route passes largely thru highly cultivated and valuable areas. Therefore the costs of rights-of-way will be less with the river route and no areas will be segregated in the sense of changed national jurisdiction. The alignment possible with the boundary route is considerably better than that of the river route, especially at the lower end of the Island, where a sharp curve is necessary if the river route is used.

(c) The boundary route makes more feasible the carrying thru of irrigation and drainage works needed by Mexico, as the present boundary in places is located practically against the toe of the mesa. On the other hand, the abandonment of the river requires the building in the United States of a feeder canal to re-establish water deliveries to the Tornillo Canal system.

(d) The boundary route is estimated to cost about seventy-five thousand dollars (\$75,000) more than the river route, due largely to the higher value of the lands required for the right-of-way and the segregated areas, and to the disestablishment of some of the irrigation and drainage works now constructed in the United States of America with the river in its present location. The equalizing of all the segregated tracts and the estimate submitted herewith both are based on following the boundary route along the San Elizario Island.

sigue en general, el cauce actual del Río, y el otro el actual Límite Internacional. Los dos trazos son prácticamente de las mismas longitud, pendiente y elevación.

(b) Como el trazo por el Río sigue el cauce actual de la corriente, queda enteramente en los Estados Unidos y atraviesa terrenos en su mayor parte incultos y sin drenaje, mientras que el trazo por el Límite Internacional cruza terrenos cultivados y valiosos. Por lo tanto, el costo del derecho de vía será menor si se sigue el trazo por el Río, y no habrá cambios de jurisdicción nacional en los terrenos por segregar. El trazo por el Límite Internacional es notablemente mejor que el trazo por el Río, principalmente en el extremo inferior de la Isla, en donde se requiere una curva pronunciada en caso de seguir el trazo por el Río.

(c) El trazo por el Límite Internacional facilita la ejecución de obras de riego y de drenaje necesarias para México, pues el actual Límite Internacional en varios lugares toca el pie de las lomas. Por otra parte, el abandono del Río, exige la construcción en territorio de Estados Unidos, de un canal para abastecer de agua el actual sistema del canal de Tornillo.

(d) El trazo por el Límite Internacional costará como 75.000 dólares más que el trazo por el Río, principalmente por el mayor valor de los terrenos destinados a derecho de vía y de las parcelas por segregar, y por la inutilización de algunas obras de riego y de drenaje que actualmente existen en esta zona de los Estados Unidos. En el proyecto que se presenta, la compensación de las áreas por segregar y el costo de las obras están estudiados para el trazo por el Límite Internacional en la Isla de San Elizario.

## V.—GENERAL.

## 1.—Velocities.

(a) The requirements of the project indicate two important limiting velocities; namely, that the maximum velocity in the flood channel at full flow must not entail expensive bank protection, and that the minimum velocity in the normal flow channel must be high enough to carry the annual increment of sand and silt to prevent channel upbuilding.

(b) The increase in average gradient, which is from .00035 to .00061, or from 1.82 feet per mile to 3.2 feet per mile, and which is brought about by the shortening in the river length, will produce velocities of from five to six feet (1.52 to 1.83 meters) per second at full flow, depending on the cross section and the gradient of the particular section considered.

(c) These velocities can be safely carried in the channel designed for this project where the alignment is reasonably straight and the cross section relatively wide.

(d) The data on normal flow indicates that the low water channel will have a velocity of around three feet (0.91 meters) per second. Experience on the Rio Grande Irrigation Project, in the sluicing of canals in the design of sand skimming devices, has shown that such velocities are capable of carrying the usual sand and silt borne by the Rio Grande.

## 2.—Coefficient of Roughness.

(a) The value of "n" in Kutter's Formula adopted for use on this project is  $n = .025$  for the normal flow channel and  $n = .030$  for the flood channel. These values follow closely those determined on the Miami Conservancy District at Dayton, Ohio, taking such tests as are believed to nearly duplicate the conditions to be encountered on this project. On one particular determination where the channel was covered with weeds, and the flow was

## V.—GENERAL.

## 1.—Velocidades.

(a) Las necesidades del proyecto establecen los siguientes límites de velocidad: La velocidad máxima en el cauce mayor a plena capacidad no debe motivar trabajos costosos de protección de los diques, y la velocidad mínima en el cauce de estiaje debe ser suficiente para acarrear el incremento anual de azolve a fin de evitar la elevación del cauce.

(b) El aumento de pendiente media de 0.00035 a 0.00061 (de 1.82 a 3.20 pies por milla), que se obtendrá mediante el acortamiento de la longitud del Río, producirá velocidades a plena capacidad entre 1.52 y 1.83 metros por segundo (5 y 6 pies por segundo), de acuerdo con la sección transversal y la pendiente en el lugar que se considere.

(c) Estas velocidades máximas pueden alcanzarse sin peligro en el cauce que se ha proyectado, en vista de que el trazo está constituido por numerosos tramos rectos y las secciones transversales son relativamente anchas.

(d) Los cálculos hechos para el gasto de estiaje indican que la velocidad en el cauce menor será alrededor de 0.91 metros por segundo (3.0 pies por segundo). Por experiencia se ha visto en el Sistema de Irrigación del Río Grande que esta velocidad tiene capacidad bastante para acarrear los sedimentos que comúnmente lleve el Río Bravo.

## 2.—Coeficiente de Rugosidad.

(a) En los cálculos se han adoptado como valores de "n" en la fórmula de Kutter, para el cauce de estiaje  $n = 0.025$  y para el cauce mayor  $n = 0.030$ . Estos valores son semejantes a los que se determinaron experimentalmente en el Distrito de Miami, en Dayton, Ohio, para aquellos casos en que las condiciones eran casi las mismas que las del actual proyecto. En uno de los experimentos, estando el cauce cubierto de yerbas, y siendo el gasto de

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around twenty-three thousand (23,000) second feet (6520 cubic meters per second) the value of "n" was determined to be .0298, whereas the values for the same channel when free from weeds varied from .023 to .0255.

cerca de 652 metros cúbicos por segundo (23.000 pies cúbicos por segundo), se obtuvo para "n" el valor de 0.0298, y en el mismo cauce en el tramo en que se encontraba libre de vegetación, los valores de "n" variaron de 0.023 a 0.0255.

### 3.—Cross-sections

(a) The cross-sections adopted as best suited to the requirements of the project are shown on the attached Exhibit No. 3. It will be noted that two cross-sections are shown. These are identical except in the placement of the normal flow channel. The one to be used from El Paso-Juarez to the lower end of the San Elizario Island places the normal flow channel in the center while the one to be used from the lower end of the San Elizario Island to the mouth of Quitman Canyon places the normal flow channel adjacent to the left levee. This different treatment of the two sections of the river is required because, in the upper part, the land passed thru in the making of cut-offs is generally low ground lying from only slightly above the proposed river grade to, in some cases, slightly below the proposed grade. Thru this section the amount of material to be excavated from the proposed new channel is small and can be wasted adjacent to the normal flow channel without seriously decreasing flood channel capacities. Throughout the lower section deeper cuts are encountered and spoiling into the flood channel is impracticable. This changed condition is met by placing the normal channel adjacent to the left levee where the material excavated can be placed to form the left levee or can be wasted beyond the flood channel.

(b) The proposed cross-section has levees spaced 180 meters (590 feet) apart with levee heights of

### 3.—Secciones Transversales.

(a) Las secciones transversales adoptadas como más adecuadas para las exigencias de este proyecto, se muestran en el anexo No. 3. Podrá observarse que aparecen dos secciones transversales que difieren sólo en la posición del cauce de estiaje. En la Sección para el tramo comprendido entre Juárez-El Paso y el extremo inferior de la Isla de San Elizario, el cauce de estiaje está colocado en el centro, mientras que en la sección correspondiente al tramo comprendido entre el extremo inferior de la Isla de San Elizario y la entrada del Cañón de Quitman, el cauce de estiaje queda situado junto al dique del lado izquierdo. Esta diferencia en las secciones obedece a que en la parte superior, el terreno en que se harán los cortes es en general bajo, queda un poco más alto que la plantilla del cauce proyectado, y en algunos casos ligeramente más abajo. En este tramo el volumen de material que deberá excavarse para formar el cauce menor proyectado, es relativamente pequeño y puede depositarse a los lados del cauce de estiaje sin que por ellos disminuya seriamente la capacidad del cauce mayor. En cambio, en el tramo inferior los cortes son más profundos y no puede hacerse dentro del cauce mayor el depósito del material excavado, por lo que se ha pensado colocar el cauce de estiaje adyacente al dique izquierdo y poder así aprovechar el material excavado en la construcción de este dique o moverlo hasta afuera del cauce mayor.

(b) En las secciones transversales proyectadas, los diques distan 180 metros (590 pies) y su

about 2.2 meters (7.2 feet). In actual construction levee heights will vary from nothing, where bench lands are encountered, to four and a half meters (15 feet) where the old river channel is crossed. The levee section proposed has a five meter (16.4 feet) crown with side slopes of two to one. This will permit the use of the top as a road for inspection and repair.

(c) The normal flow channel is designed with a bottom width of twenty meters (66 feet) as this channel width seems to best fit the present channel width of the river. Side slopes are 1:1 except throughout the lower section where 2:1 slope is proposed on the side adjacent to the left levee.

(d) Gradients vary from .00045 (2.38 feet per mile) to .0008 (4.26 feet per mile) and the levee heights have been changed to conform, always adding 0.6 meters (2 feet) as freeboard.

(e) The estimated capacity below the 0.6 meters (2 feet) freeboard varies from ten thousand seven hundred (10,700) second feet (3,030 cubic meters per second) to eleven thousand five hundred (11,500) second feet (3,260 cubic meters per second).

#### 4.—Right-of-way.

(a) The total right-of-way required is eight thousand one hundred sixty (8,160) acres (3,300 hectares). This is equally divided between the two countries to Mexico four thousand eighty (4,080) acres (1650 hectares) and to the United States four thousand eighty (4,080) acres (1650 hectares). In addition to the land actually occupied by the works, a strip fifteen meters (49 feet) wide outside the land tow of each levee has been included for use in levee maintenance or possible future levee widening.

altura media es de 2.25 metros (7.2 pies). En la práctica, las alturas de los diques variarán desde cero, en donde haya terreno alto, hasta 4.5 metros (15 pies) en los cruzamientos del cauce viejo del Río. Según el proyecto, la sección de los diques tiene 5 metros en la corona (16.4 pies), con taludes de dos por uno. En estas condiciones se podrán usar las coronas como camino para fines de inspección y reparación.

(c) El cauce de estiaje proyectado tiene un ancho en el fondo de 20 metros (66 pies), que es el que parece concordar mejor con el del cauce actual del Río. Los taludes son de uno por uno, y solamente en el tramo inferior se proyecta un talud de dos por uno en el lado adyacente al dique izquierdo.

(d) Las pendientes varían desde 0.00045 hasta 0.00080 (2.37 a 4.26 pies por milla) y las alturas de los diques se han ajustado a la pendiente del cauce, aumentando siempre una altura de 0.60 metros (2 pies) como margen de seguridad.

(e) La capacidad calculada para el cauce hasta una altura de 0.60 metros (2 pies) abajo de la corona de los diques, varía entre 3030 y 3260 metros cúbicos por segundo (10.700 y 11.500 pies cúbicos por segundo).

#### 4.—Derecho de Vía.

(a) La extensión total necesaria de terreno para derecho de vía es de 3.300 hectáreas (8160 acres), repartida por mitad entre los dos países, correspondiendo a México 1650 hectáreas (4080 acres) y a los Estados Unidos 1650 hectáreas (4080 acres). El derecho de vía incluye, además del terreno ocupado por las obras, una faja de 15 metros (49 pies) de ancho contada desde el pie del talud del lado de tierra de cada dique, y que se destina a la conservación o a la ampliación futura de los diques.

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#### 5.—Clearing.

(a) The area to be cleared is estimated as seventy per cent of the total area required for the right-of-way. A part of the right-of-way is now cleared and in cultivation, and in addition a considerable part is now occupied by the present river. Unit cost is sixty-two dollars fifty cents per hectare, or about twenty-five dollars per acre. The work to be done consists of brush cutting, some grubbing, and the plowing of the area between the borrow pits and the normal channel.

#### 6.—Earthwork.

(a) All earthwork of both channel excavation and levee embankment is planned to be accomplished by machine methods, and the unit cost used in the estimates is eighteen cents per cubic meter which is about that developed on similar work in that locality. The machines best suited to the work are draglines equipped with one hundred foot booms, with buckets from two to three cubic yards in capacity, although on a great part of the levee work smaller equipment can be used economically. Proper provision has been made in the unit cost for full machine upkeep and depreciation, and for the hazards of the work such as untimely high water, soft and marshy ground and unusable soft material.

(b) It is planned to secure material for the levee embankment from the channel excavation in building the left levee from the lower end of San Elizario Island to the mouth of Quitman Canyon. At practically all the other locations the material will be secured from discontinuous borrow pits located on the channel side of the levees. Practically no material will require a second handling.

#### 5.—Desmonte.

(a) Se estima necesario desmontar el 70 por ciento de la extensión total del derecho de vía, pues parte de esa faja está actualmente en cultivo y otra parte considerable está ocupada por el cauce actual del Río. Se ha calculado un costo de 62.50 dólares por hectárea (25 dólares por acre) para este trabajo, que consistirá en cortar las yerbas desenraizar y arar la parte comprendida entre las zanjas de préstamo y el canal de estiaje.

#### 6.—Terracerías.

(a) Todo el trabajo de terracerías, tanto el correspondiente a la excavación del cauce, como a los terraplenes de los diques, se hará empleando excavadoras; habiéndose aceptado un costo unitario en el presupuesto, de 18 centavos de dólar por metro cúbico, costo análogo al obtenido en trabajos semejantes en la localidad. Las máquinas más adecuadas para el trabajo serán palas o dragas mecánicas provistas de plumas de cien pies de longitud y cucharones de dos a tres yardas cúbicas de capacidad, aunque en algunas partes de los diques puede usarse con economía equipo más chico. Al fijar el precio unitario se han incluido partidas correspondientes a reparaciones, depreciación de maquinaria y circunstancias imprevistas, como crecientes extemporáneas, terreno flojo y pantanoso, y material escurridizo e inútil.

(b) En el tramo comprendido desde el extremo inferior de la Isla de San Elizario hasta la entrada del cañón de Quitman, se proyecta emplear el material de excavación del cauce para construir el dique izquierdo. En todos los demás casos, el material se tomará de zanjas de préstamo interrumpidas situadas del lado del Río de los diques. En la práctica no será necesario el doble traspaleo del material.

**7.—Work near El Paso-Juarez.**

(a) The item of one hundred twenty five thousand dollars (125,000) covers contemplated work on the section of river between International Dam and Cordova Island, and includes the extension and straightening of the present levees, the removal of existing obstructions, and purchase of title to all lands lying on the channel side of the present levees.

**8.—Changes in Canals and Drains.**

(a) The sum of two hundred twenty five thousand dollars (\$225,000) is carried in the estimate to cover the cost of rebuilding all constructed irrigation and drainage works where they will be interfered with by the proposed river work. This work will include the rearrangement of the irrigation systems on both sides of the river, especially in the area below Monument No. 1 of San Elizario Island, and changed drain outlets on the United States side in the same area. The sum of seventy-five thousand dollars has been allocated to Mexico and one hundred fifty thousand dollars to the United States.

**9.—Bridges.**

(a) Present bridges will either have to be lengthened or moved, depending on how they fit with the new plan and probably several more bridges will have to be built. The estimate of the amount of this item is three hundred thousand dollars. (\$300,000).

**10.—Grade Controls.**

(a) Because the effects of the introduction of steeper gradients in the river channel are problematical, and considerable scour may develop, and because the irrigation supply must be diverted at certain places, there has been set up in the estimate

**7.—Obras cerca de Juárez-El Paso.**

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(a) En el presupuesto figura una partida de 125.000 dólares destinada a las obras que se consideran necesarias en el tramo del Río comprendido entre la Presa Internacional y el Corte de Córdova, tales como la prolongación y el refuerzo de los diques actuales y la remoción de las obstrucciones existentes y a la adquisición del título de propiedad sobre todos los terrenos particulares que ahora quedan dentro del cauce entre los diques.

**8.—Cambios en los Canales y en los Drenes.**

(a) En el presupuesto aparece la suma de 225.000 dólares para cubrir los gastos de reconstrucción de las obras de riego y drenaje ahora existentes que resulten afectadas con los trabajos de rectificación proyectados. Estas obras incluyen la readaptación de los sistemas de riego en ambos lados del Río, especialmente en la región abajo del monumento No. 1 de la Isla de San Elizario, y los cambios de desagües de los drenes en el lado Americano en la misma región. Se ha asignado a México la suma de 75.000 dólares y a los Estados Unidos 150.000 dólares.

**9.—Puentes.**

(a) Será necesario alargar o cambiar de sitio varios de los Puentes existentes para adaptarlos al nuevo cauce y además será tal vez necesario construir varios puentes nuevos. Para estos objetos se ha incluido una partida de 300.000 dólares.

**10.—Estructuras de Control de la Pendiente.**

(a) Teniendo en cuenta que los efectos del aumento de pendiente del cauce del río no pueden precisarse de antemano, y que pudieran ocurrir socavaciones; y considerando también que debe derivarse agua para riego en determinados lugares, se ha hecho

**Minute No. 129 of International Boundary Commission—Contd.** an amount of dollars 675.000 to meet the cost of grade control structures. This amount is deemed sufficient to build ten such structures. The immediate construction of three or four is contemplated—located at such places as the need of irrigation diversion dictates. The others will be built if their need becomes apparent.

figurar en el presupuesto la suma de 675.000 dólares destinada a la construcción de estructuras que permitan controlar la pendiente, estimándose que dicha suma es suficiente para construir hasta diez estructuras. Por lo pronto se proyecta la construcción inmediata de tres o cuatro estructuras de control en aquellos lugares en que sea necesario derivar agua para riego; las demás se construirán si así lo exigen las necesidades.

#### 11.—*Engineering, Contingencies and Overhead.*

(a) An allowance of twenty per cent has been added to cover the cost of the above item. A relatively low engineering cost should result, due to the magnitude of the quantities involved. Contingencies are not serious, as the flow of the river is largely controlled by Elephant Butte Dam, and no long-lasting floods are probable. Overhead should be no higher than on other similar work.

#### VI.—COST WITHOUT CABALLO DAM.

(a) During December 1928, a report was made on the probable floods at El Paso-Juarez, with and without, the additional flood control of a retention reservoir at Caballo. The data then available indicated a maximum flood of eight thousand (8.000) second feet (226 cubic meters per second) with the Caballo Dam, and a maximum flood of eighteen thousand second feet (510 cubic meters per second) without the Caballo Dam. Since that time additional data has been acquired, and re-studies have shown that the assumed maximum flood with the Caballo Dam should be eleven thousand second feet (314 cubic meters per second), and that the assumed maximum flood without the Caballo Dam should be twenty thousand second feet (576 cubic meters per second).

#### 11. *Dirección Técnica, Administración e Imprevistos.*

(a) Por estos conceptos se ha aumentado al costo de las obras el 20%. Los gastos por concepto de dirección técnica serán bajos, debido a la magnitud de las obras. Las contingencias no serán muy serias, dado que el Río está regularizado por la Presa del Elefante y no es probable que ocurran crecientes de larga duración. Los gastos de administración no serán mayores que en obras semejantes.

#### VI.—COSTO SIN LA PRESA DE CABALLO.

(a) En diciembre de 1928 se hizo un estudio comparativo de gastos de crecientes probables frente a Juárez-El Paso considerando dos casos: 1o. Que se construyera el vaso de retención de Caballo y 2o. Que no se construyera este vaso. Los datos entonces disponibles indicaban que en caso de construirse la Presa de Caballo el gasto máximo de crecientes podría ser de 226 metros cúbicos (8.000 pies cúbicos) por segundo; y que en caso de no construirse esa presa el gasto máximo de crecientes podría ser de 510 metros cúbicos (18.000 pies cúbicos) por segundo. Datos recogidos posteriormente y estudios más recientes, han aconsejado tomar como gastos máximos de crecientes, los de 314 metros cúbicos (11.000 pies cúbicos) por segundo, con la presa de Caballo y 576 metros cúbicos (20.000 pies cúbicos) por segundo, sin la presa de Caballo.

(b) In adopting a design for the twenty thousand second feet (576 cubic meters per second) channel it was found necessary to increase the distance between levees from one hundred eighty meters (590 feet) to two hundred ninety meters (950 feet) for the upper part of the valley, or from El Paso-Juarez to Alamo Arroyo. For the lower part, or from Alamo Arroyo to the end it was found necessary to increase the size of the excavated channel from twenty meter (66 foot) base to a thirty meter (99 foot) base, and to raise the levees one meter (3.3 feet).

(c) Estimates show that the works required from Land Monument No. 1 to the mouth of the canyon below Fort Quitman will cost about one million five hundred thousand dollars more when designed for the twenty thousand second foot (576 cubic meters per second) channel than when designed for the eleven thousand second foot (314 cubic meters per second) channel. The principal items of difference are the increase in rights-of-way required due to the widening between levees in the upper part, or from El Paso-Juarez to the Alamo Arroyo; the increase in earthwork, due principally to the larger cross-section needed thru the deep cuts below the Alamo Arroyo, and to the lengthening of the grade control structures and the bridges. There is also an increase in the amount of clearing necessary.

(d) The additional area required for rights-of-way is about eight hundred hectares (2,000 acres) and will cost one hundred thousand dollars. The additional earthwork required is about four million one hundred fifty thousand cubic meters (5,424,000 cubic yards) which at eighteen cents per cubic meter amounts to seven hundred forty-seven thousand

(b) Al hacer los estudios del proyecto para un cauce de 576 metros cúbicos (20.000 pies cúbicos) por segundo, se vió la necesidad de aumentar la distancia entre los diques de 180 metros (590 pies) a 290 metros (950 pies), en la parte alta del Valle comprendida entre Juárez-El Paso y el Arroyo del Alamo. En la parte inferior, es decir, desde el Arroyo del Alamo hasta el final, fué necesario aumentar el ancho del fondo del canal por exceder de 20 metros (66 pies) a 30 metros (99 pies) y aumentar en un metro (3.3 pies) la altura de los diques.

(c) Estimaciones comparativas de costo, hacen ver que las obras necesarias en el tramo desde el monumento número uno de la línea terrestre hasta la entrada del cañón abajo de Fort Quitman implicaría un costo excedente como de 1.500,000 dólares cuando se proveyera un cauce de 576 metros cúbicos (20.000 pies cúbicos) por segundo, sobre el costo correspondiente a un cauce de 314 metros cúbicos (11.000 pies cúbicos) por segundo. Esta diferencia se debe principalmente al aumento en la superficie del terreno destinado a derecho de vía, debido a la mayor distancia entre los diques, en la parte alta, entre Juárez-El Paso y el arroyo El Alamo; al aumento en el volumen de terracerías, debido principalmente a la mayor sección transversal requerida en los cortes profundos abajo del Arroyo del Alamo; y a la mayor longitud de los puentes y de las estructuras de control de la pendiente. También se aumenta el área por desmontar.

(d) El área adicional para derecho de vía es como de 800 hectáreas (2000 acres), con un costo de 100.000 dólares. El volumen adicional de terracerías se estima en 4.150,000 metros cúbicos (5.424,000 yardas cúbicas), que, a razón de 0.18 dólares por metro cúbico importaría 747.000 dólares. El aumento de longitud de las estructuras de

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dollars. The lengthening of grade control structures and bridges will cost an additional three hundred fifty thousand dollars. The additional clearing required will cost thirty-five thousand dollars. The total of the above items is one million two hundred thirty-two thousand dollars which, when increased by twenty per cent allowed for engineering, overhead and contingencies, makes a total additional cost of one million four hundred eighty thousand dollars.

(e) Therefore, the cost (\$1,250,000) of the Caballo Dam is more than offset by the economies made possible in the works from Land Monument No. 1 to the mouth of Quitman Canyon. Indeed, a saving of two hundred fifty thousand dollars is achieved. This saving is in addition to a reduction of 800 hectares (2,000 acres) in the land used for the channel which would be otherwise irredeemably lost for cultivation, and to an unknown amount annually saved in less expensive maintenance.

## VII. RECOMMENDATIONS.

The following recommendations are respectfully submitted:

(a) That the rectified channel be constructed as described and outlined in this report and the attached exhibits.

(b) That a flood detention dam, with a reservoir of not less than one hundred thousand acre feet (123,350,000 cubic meters) capacity be built at Caballo, New Mexico.

(c) That the areas to be detached from each country be brought into balance by such shifting of the river location as the Commission may decide.

(d) That the areas to be detached and those required for right-of-way be acquired by each nation so that all private rights to these lands be extinguished.

control de la pendiente y de los puentes importaría la suma adicional de 350,000 dólares. Por concepto de desmontes se aumentarían 35.000 dólares. El total de las cantidades anteriores es de 1.232.000 dólares, y si a esta cantidad se agrega el 20% por concepto de dirección, administración e imprevistos, el costo total adicional sería de 1.480.000 dólares.

(e) Así pues, se ve que el costo de la Presa de Caballo, que es de 1.250,000 dólares, resulta ampliamente compensado por las economías que pueden hacerse en las obras entre el Monumento No. 1 de la línea terrestre y la entrada del Cañón de Quitman, lográndose un ahorro de 250.000 dólares. Además de este ahorro, se disminuye en 800 hectáreas (2000 acres) la extensión de terreno que, por formar parte del cauce, resultaría irremisiblemente perdida para el cultivo y a la vez se ahorra por concepto de gastos de conservación una cantidad anual cuyo monto no puede precisarse.

## VII. RECOMENDACIONES.

Con todo respeto se hacen las siguientes recomendaciones:

(a) Que se construya el cauce rectificado de acuerdo con los lineamientos establecidos en este informe y en sus anexos.

(b) Que se construya una presa de retención con un vaso de capacidad no menor de 123,350,000 Mts. cúbicos (100,000 acres pies) en Caballo, Nuevo México, E. U. A.

(c) Que se igualen las áreas por separar de cada país modificando el trazo del cauce proyectado, en la forma que la Comisión estime conveniente.

(d) Que cada país adquiera la parte que le corresponda de los terrenos—por separar y de los necesarios para derecho de vía, a fin de extinguir los derechos de propiedad particular sobre dichos terrenos.

(e) That the balanced detached tracts and the acquired rights-of-way be exchanged between the two nations so that each nation will have jurisdiction to the center of the rectified channel where it forms the boundary line.

(f) That the International Boundary Commission have full control over the work during its construction, and over its maintenance when completed.

### VIII. EXHIBITS.

Five exhibits are attached, as follows:

#### EXHIBIT No. 1.—River Gradients.

This shows graphically the present river gradients between Elephant Butte and Quitman Canyon, and the proposed new gradient which the river shortening will bring about.

#### EXHIBIT No. 2.—Location Map.

This is a map of the El Paso-Juarez Valley on which is shown the located line and the segregated areas in color and in numerical table. Two routes are shown at the San Elizario Island, one following generally the present river, and the other following generally the present boundary.

#### EXHIBIT No. 3.—Typical Cross-Sections.

This exhibit graphically illustrates the cross-sections proposed for use, and gives the theoretical hydraulic functions.

#### EXHIBIT No. 4.—Drainage Areas.

This exhibit indicates in colors and in figures the drainage area controlled by Elephant Butte Dam, and that to be controlled by the Caballo Dam.

#### EXHIBIT No. 5.—Estimate of Cost.

(e) Que ambos países cambien entre sí las áreas iguales de terrenos segregados, así como la parte respectiva de los terrenos adquiridos para derecho de vía, a fin de que cada país tenga, en el futuro, jurisdicción hasta el centro del cauce rectificado en donde éste constituya el Límite Internacional.

(f) Que la Comisión Internacional de Límites tenga a su cargo los trabajos de construcción de las obras y la conservación de ellas una vez terminadas.

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### VIII. ANEXOS.

Se acompañan los cinco anexos siguientes:

#### ANEXO NUMERO 1.—Perfiles del Río.

Muestra gráficamente el perfil actual del Río entre la Presa del Elefante y el Cañón de Quitman y el perfil que se obtendrá al hacer la rectificación del Río.

#### ANEXO NUMERO 2.—Plano de localización.

En un plano general del Valle de Juárez-El Paso se ha mostrado el trazo preliminar indicándose en colores y en una tabla numérica los terrenos por separar. En la Isla de San Elizario se muestran dos trazos, uno que sigue en general el cauce actual del Río y otro que sigue en general el actual Límite Internacional.

#### ANEXO NUMERO 3.—Secciones Transversales tipos.

En este anexo aparecen gráficamente las secciones transversales proyectadas, con sus características hidráulicas.

#### ANEXO NUMERO 4.—Cuenca de drenaje.

En este anexo se han indicado con colores y con cifras numéricas las cuencas de drenaje controladas por la presa del Elefante y por la proyectada Presa de Caballo.

#### ANEXO NUMERO 5.—Presupuesto.

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## IX.—ACKNOWLEDGMENTS.

In the preparation of this report the Consulting Engineers have been assisted by the technical advisers, Messrs. W. E. Robertson, Chairman of the El Paso Chamber of Commerce River Rectification Committee, and Salvador Arroyo, Chief Engineer of the Juarez Flood Control Commission; and have made use of the wealth of data contained in previous reports on this problem. Acknowledgment is made to the various engineers and agencies who collected this data and made the following reports:

1.—“Report on Rio Grande Rectification”, by Special Committee of Engineers, El Paso Chapter, American Association of Engineers, June 5, 1922.

2.—“Report of Conditions of the Rio Grande on the Rio Grande Project”, by L. M. Lawson, Engineer, United States Department of the Interior, March 10, 1925.

3.—“Channel Improvement of the Rio Grande below El Paso”, by Salvador Arroyo, Mexican Federal Civil Engineer, March 1925.

4.—“Statement to the United States and Mexican Governments and the International Boundary Commission on Rectification of a Portion of the Rio Grande, Juarez and El Paso Valleys”, by Salvador Arroyo and L. M. Lawson, April 25, 1925.

5.—“Joint Report on the Preceding Report” (No. 4), by Armando Santacruz, Jr. and Randolph E. Fishburn, Consulting Engineers of the International Boundary Commission, May 12, 1925.

## IX.—COLABORACION.

(a) En la preparación de este informe colaboraron con los Ingenieros Consultores de la Comisión, los Asesores Técnicos, Señores, Ingenieros Salvador Arroyo, Jefe de la Comisión de Obras de Defensa del Río Bravo en Juárez, Chih., y W. E. Robertson, Presidente del Comité de Rectificación del Río de la Cámara de Comercio de El Paso; habiéndose aprovechado los datos valiosos contenidos en informes previamente formulados sobre este problema por diversos ingenieros y Oficinas, principalmente los siguientes:

1.—“Informe sobre la Rectificación del Río Bravo”, por el Comité especial de Ingenieros del Capítulo de El Paso de la Asociación Americana de Ingenieros. 5 de junio de 1922.

2.—“Informe sobre las condiciones del Río Bravo en el Sistema de Irrigación Río Grande”, por L. M. Lawson, Ingeniero del Departamento del Interior de los Estados Unidos. 10 de marzo de 1925.

3.—“Mejoramiento del cauce del Río Bravo abajo de El Paso” por el Ingeniero Salvador Arroyo, del Gobierno de México. Marzo de 1925.

4.—“Memoria presentada a los Gobiernos de México y de los Estados Unidos y a la Comisión Internacional de Límites relativa a la rectificación de un tramo del Río Bravo en el Valle de Juárez-El Paso”, por los Ingenieros Salvador Arroyo y L. M. Lawson. 25 de abril de 1925.

5.—Informe común sobre la “Memoria” anterior, por los señores Randolph E. Fishburn y Armando Santacruz Jr., Ingenieros Consultores de la Comisión Internacional de Límites. 12 de mayo de 1925.

Minute No. 129 of International Boundary Commission—Contd.

6.—“Effect of Rio Grande Storage on River Erosion and Deposition”, by L. M. Lawson, Project Superintendent, United States Bureau of Reclamation, El Paso, Texas, May 1928.

6.—“Efectos del almacenamiento de las aguas del Río Grande sobre la erosión y el azolve de la corriente”, por el Ingeniero L. M. Lawson, Superintendente del Sistema, Oficina de Irrigación de los Estados Unidos. El Paso, Texas. Mayo de 1928.

7.—“The Present Regimen of the Upper Rio Grande and the Problem the River has Created in the El Paso-Juarez Valley”, by Salvador Arroyo, Chief Engineer of Juarez Flood Control Commission, May 1928.

7.—“El régimen actual del Alto Río Grande y el problema a que ha dado lugar en el valle de Juárez-El Paso”, por el Ingeniero Salvador Arroyo, Jefe de la Comisión de Obras de Defensa del Río Bravo en C. Juárez, Chih. Mayo de 1928.

8.—“Statement Regarding Rectification of the Rio Grande”, by J. L. Savage, Designing Engineer, United States Bureau of Reclamation, November 28, 1928.

8.—“Informe sobre la rectificación del Río Grande” por J. L. Savage, Ingeniero Proyectista en Jefe del “Bureau of Reclamation” de los Estados Unidos. 28 de noviembre de 1928.

9.—“Report on Preliminary Estimates, Rectification of the Rio Grande El Paso-Juarez to Quitman Canyon”, by Salvador Arroyo and C. M. Ainsworth, December 1928.

9.—“Informe sobre presupuestos preliminares para la rectificación del Río Bravo de Juárez-El Paso al cañón de Quitman”, por los Ingenieros Salvador Arroyo y C. M. Ainsworth. Diciembre de 1928.

10.—“Proposed Rectification of the Rio Grande from El Paso-Juarez to Quitman Canyon”, by R. M. Priest, Superintendent of the Yuma Project, United States Bureau of Reclamation, May 2, 1929.

10.—“Proyecto de rectificación del Río Bravo entre Juárez-El Paso y el Cañón de Quitman”, por el Ingeniero R. M. Priest, Superintendente del Sistema de Yuma del “Bureau of Reclamation” de los Estados Unidos. 2 de Mayo de 1929.

Respectfully submitted,  
July 16, 1930.

Con todo respeto.  
México, D.F., julio 16 de 1930.

(Sgd.) C. M. AINSWORTH  
*Consulting Engineer*  
*United States Section.*

(Fdo.) ARMANDO SANTACRUZ  
*Ingeniero Consultor-de la*  
*Sección Mexicana.*

(Sgd.) ARMANDO SANTACRUZ  
*Consulting Engineer,*  
*Mexican Section.*

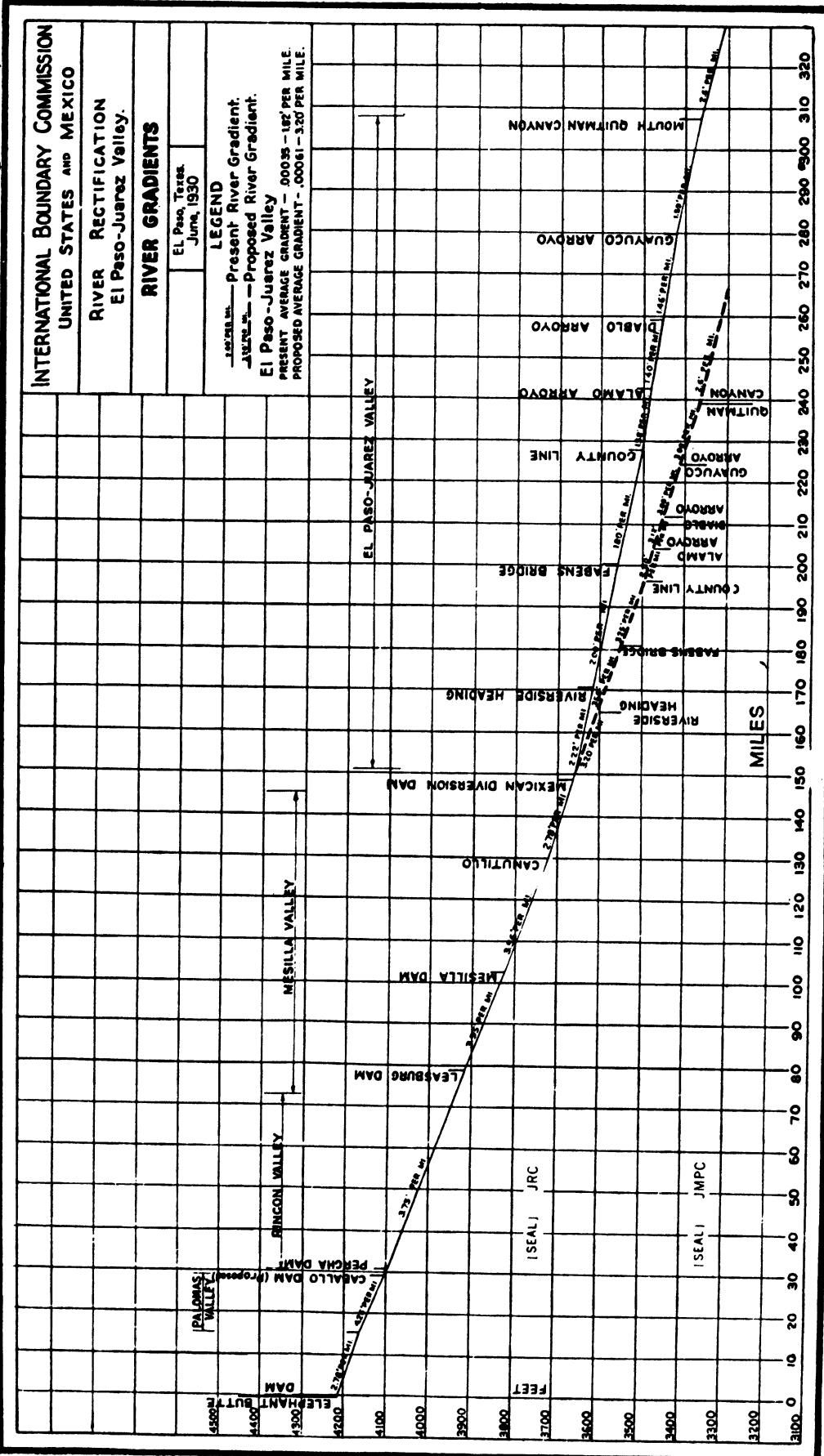
(Fdo.) C. M. AINSWORTH  
*Ingeniero Consultor de la*  
*Sección de Estados Unidos.*

To the Honorable Commissioners,  
International Boundary Commission,  
United States and Mexico.

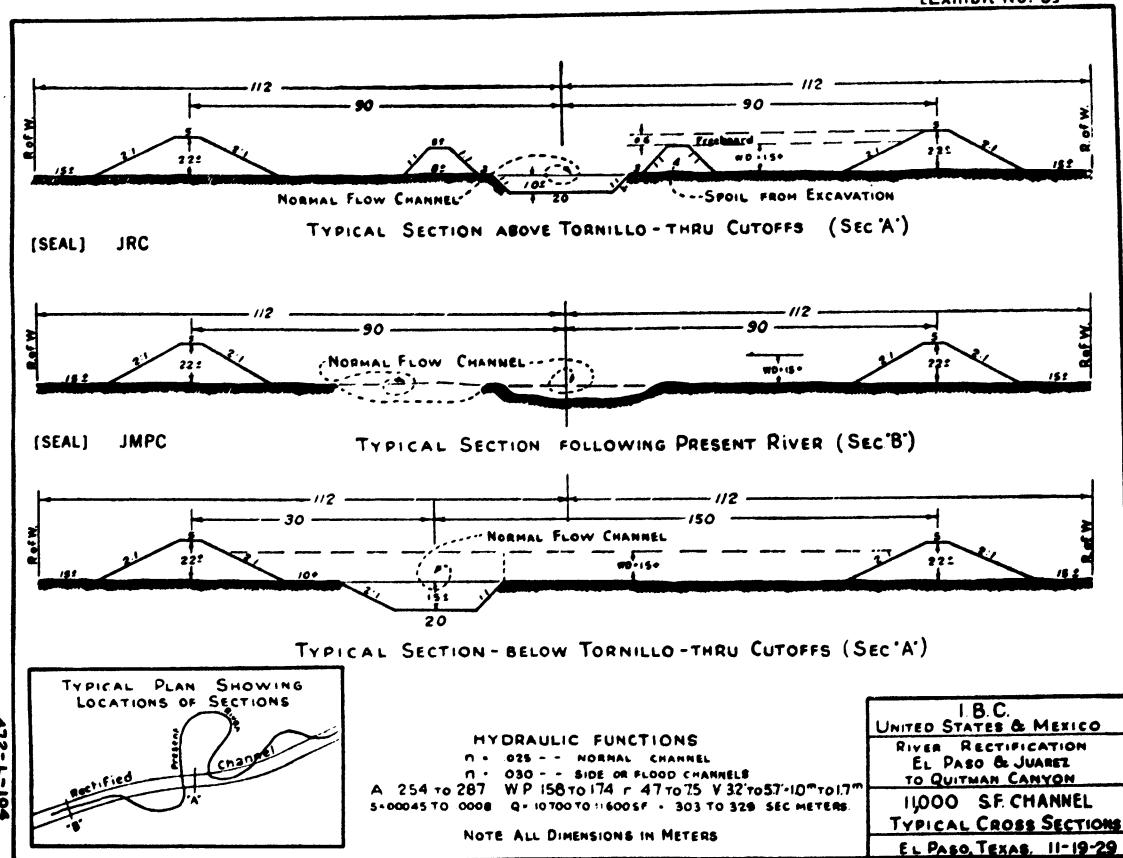
A los Honorables Comisionados de  
la Comisión Internacional de  
Límites entre México y los  
Estados Unidos.

PRESENTES.

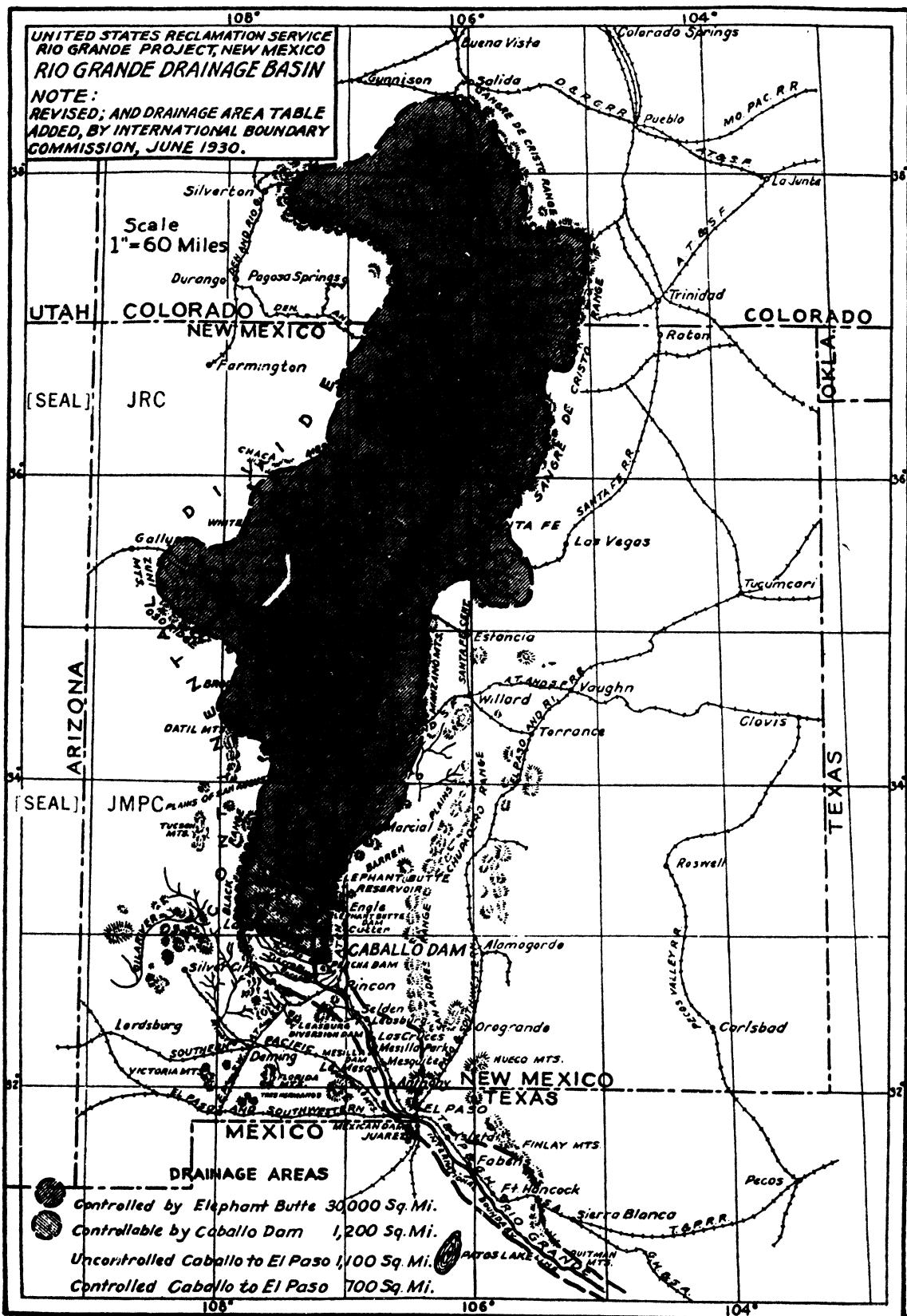
Exhibit No. 1



[Exhibit No. 3]



*Exhibit N<sup>o</sup>4*





## EXHIBIT NO. 5

RIVER RECTIFICATION—EL PASO-JUAREZ TO QUITMAN CANYON  
ESTIMATE OF 11,000 SECOND FOOT CHANNEL

Mexico, D.F., July 16, 1930.

## Right-of-Way

## Mexico:

1650 hectares at \$50 (Dollars)-----	\$82, 500
(4080 acres at \$20 " )-----	
United States:	
1650 hectares at \$200 " -----	330, 000
(4080 acres at \$81 " )-----	<u>\$412, 500</u>

## Segregated Tracts

## Mexico:

1400 hectares at \$40 (Dollars)-----	56, 000
(3460 acres at \$16 " )-----	

## United States:

1400 hectares at \$150 " -----	210, 000
(3460 acres at \$60 " )-----	<u>266, 000</u>

## Earthwork

3,650,000 cu.mtr. excavation at \$0.18-----	657, 000
(4,775,000 cu.yd. at \$0.138)-----	

6,870,000 cu.mtr. embankment at \$0.18-----	1, 236, 600
(8,985,000 cu. yd. at \$0.138)-----	<u>1, 893, 600</u>

## Clearing

2,400 hectares at \$62.50 (6,000 acres at \$25.30)-----	150, 000
---	----------

## Miscellaneous

## Work above Cordova:

Mexico-----	25, 000
United States-----	100, 000

## Changes in Irrigation Works:

Mexico-----	75, 000
United States-----	150, 000

Grade Controls (6)-----	675, 000
Bridges (6)-----	300, 000

1, 325, 000

Sub-Total----- \$4, 047, 100

20% engineering, overhead and contingencies----- 809, 400

TOTAL----- \$4, 856, 500

Caballo Dam—100,000 acre foot reservoir----- 1, 250, 000

GRAND TOTAL----- \$6, 106, 500

(Dollars)

Note: The smaller unit price of the segregated tracts as compared with the rights-of-way is predicated on the resale value of those segregated.

## ANEXO NO. 5.

## PROYECTO DE RECTIFICACION DEL CAUCE DEL RIO BRAVO ENTRE JUAREZ-EL PASO Y EL CAÑÓN DE QUITMAN. PRESUPUESTO PARA UN CAUCE ARTIFICIAL DE 314 MTS. CUBICOS (11.000 pies) POR SEGUNDO.

## DERECHO DE VIA.

	Dólares.
México. 1650 hectaras a Dls. 50. (4080 acres a Dls. 20)	\$82, 500
Estados Unidos. 1650 hectaras a Dls. 200 (4080 acres a Dls. 81)	<u>"330. 000</u> \$412, 500.

## AREAS SEGREGADAS.

México. 1400 hectaras a Dls. 40. (3460 acres a Dls. 16)	\$56. 000
Estados Unidos. 1400 hectaras a Dls. 150 (3460 acres a Dls. 60)	<u>"210. 000</u> \$266. 000.

## TERRACERIAS.

3.650.000 Mts. Cúbs.de excavación a Dls. 0.18. (4.775.000 yds.cúbs. a Dls. 0.138)	\$657. 000
6.870.000 Mts. Cúbs. en diques a -- Dls. 0.18. (8.985.000 yds.cúbs. a Dls. 0.138)	<u>1. 236. 600.</u> 1, 893. 600

## DESMONTE DEL DERECHO DE VIA.

2.400. hectaras a Dls. 62.50 (6.000. acres a Dls. 25.30)	-----
	150. 000

## VARIOS.

Trabajos arriba del Corte de Córdova. México-----	25. 000
Estados Unidos-----	100. 000

## MODIFICACIONES EN LAS OBRAS DE RIEGO Y DRENAJE.

México-----	75. 000
Estados Unidos-----	150. 000
Estructuras para controlar la pendiente (10)-----	675. 000
Puentes (6)-----	<u>300. 000.</u> 1, 325. 000

SUB TOTAL -----	\$4. 047. 100
Gastos de Dirección, Administración e Imprevistos, 20% del subtotal-----	<u>"</u> 809. 400
TOTAL -----	\$4. 856. 500

## PRESA EN CABALLO.

Vaso con capacidad de 123.350.000 Mts. cúbicos (100.000 acres pies)-----	<u>\$1. 250. 000</u>
GRAN TOTAL-----	<u>\$6. 106. 500</u>

## NOTA:

Los valores unitarios menores de los terrenos segregados, en comparación con los que figuran para el derecho de vía, provienen de que se ha supuesto que puede recobrarse una parte del valor de los terrenos segregados, por venta de los mismos después de hechas las obras.

AND WHEREAS the said convention, as amended by the Senate of the United States of America, has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the tenth day of November, one thousand nine hundred and thirty-three;

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof, as amended, may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this thirteenth day of November  
in the year of our Lord one thousand nine hundred and  
[SEAL] thirty-three and of the Independence of the United States  
of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

EXCHANGES OF NOTES BETWEEN THE AMERICAN AMBASSADOR  
AT MEXICO CITY AND THE MEXICAN MINISTER  
FOR FOREIGN AFFAIRS

*The Mexican Minister for Foreign Affairs (Puig) to the American Ambassador (Clark)*

\*10. de febrero de 1933.

SECRETARIO  
DE RELACIONES EXTERIORES  
MEXICO

ESTIMADO SEÑOR EMBAJADOR:

Al proceder a la firma de la Convención relativa a la rectificación del cauce del Río Bravo del Norte, en el valle de Juárez-El Paso, ha quedado entendido entre ambos Gobiernos, que los documentos anexos a la Convención, según lo dispuesto en el Artículo VIII de la misma, son copias del Acta No. 129, de 31 de julio de 1930, de la Comisión Internacional de Límites, así como del informe, mapas, planos y especificaciones anexas a dicha Acta, y que en el caso de que hubiere alguna diferencia entre las copias citadas anexas a la Convención y sus originales, los originales serán los que rijan.

Sin otro particular, me repito de usted como siempre su afectísimo, atento y seguro servidor.

PUIG

SEÑOR J. REUBEN CLARK, Jr.,  
*Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América.*

*Presente.*

[Translation]

*February 1, 1933.*

MINISTER FOR FOREIGN AFFAIRS  
MEXICO

DEAR MR. AMBASSADOR:

In proceeding to the signature of the Convention relative to the rectification of the river channel of the Rio Grande in the El Paso-Juárez valley, it is understood by both Governments that the documents annexed to the Convention, as provided in Article VIII thereof, are copies of Minute 129 of July 31, 1930 of the International Boundary Commission, and of the report, maps, plans, and specifications annexed to said Minute, and that in case any difference exists between such copies so annexed to the Convention and their originals, the originals shall control.

There being nothing further to discuss, I again subscribe myself,  
as always, your affectionate, devoted, and faithful servant.

PUIG

MR. J. REUBEN CLARK, Jr.,  
*Ambassador Extraordinary and Plenipotentiary,*  
*of the United States of America.*  
*Mexico.*

---

*The American Ambassador (Clark) to the Mexican Minister for Foreign Affairs (Puig)*

EMBASSY OF THE UNITED STATES OF AMERICA,  
MÉXICO, February 1, 1933.

MY DEAR MR. MINISTER:

Referring to your note of even date, in which you set out that in proceeding to the signature of the Convention providing for the rectification of the river channel of the Rio Grande in the El Paso-Juárez valley, it is understood that the documents attached to the Convention, as provided in Article VIII thereof, are copies of Minute 129 (July 31, 1930) of the International Boundary Commission, and of the report, maps, plans, and specifications attached to that Minute, and that in case any difference exists between such copies so attached to the Convention and their originals, the originals shall control, I beg hereby to confirm such understanding.

Please accept, Mr. Minister, the renewed assurances of my highest consideration.

J. REUBEN CLARK, Jr.

HIS EXCELLENCY  
SEÑOR DOCTOR DON JOSÉ M. PUIG CASAURANC  
*Minister for Foreign Affairs,*  
*Mexico.*

---

*The Mexican Minister for Foreign Affairs (Puig) to the American Ambassador (Daniels)*

SECRETARIA DE RELACIONES EXTERIORES  
ESTADOS UNIDOS MEXICANOS  
MEXICO

MÉXICO, 8 de septiembre de 1933.

SEÑOR EMBAJADOR:

Para facilitar el pronto canje de ratificaciones de la Convención firmada entre México y los Estados Unidos para la rectificación del Río Bravo (Río Grande) en el Valle de Juárez, de fecha 10. de febrero de 1933, y a fin de establecer con claridad la inteligencia de ambos Gobiernos por lo que respecta a la cuestión de derecho y uso de aguas

del Río Bravo (Río Grande), en el tramo que comprende dicha Convención, los dos Gobiernos declaran por este cambio de notas que el espíritu y términos de la Convención de febrero 1o. de 1933 no alteran las disposiciones de las Convenciones actualmente vigentes respecto a la utilización de agua del Río Bravo (Río Grande) y que, en consecuencia, estos asuntos permanecen sin ser afectados de modo alguno y exactamente en el mismo status que existía antes de que la Convención de 1o. de febrero de 1933 fuera celebrada.

Aprovecho la oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta consideración.

PUIG

EXCELENTESSIMO

SEÑOR JOSEPHUS DANIELS,  
*Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América.  
Presente.*

[Translation]

MINISTRY FOR FOREIGN AFFAIRS  
UNITED MEXICAN STATES  
MEXICO

MEXICO, September 8, 1933.

MR. AMBASSADOR:

In order to facilitate the early exchange of ratifications of the Convention signed between Mexico and the United States for the rectification of the Rio Bravo (Rio Grande) in the Juarez Valley, dated February 1, 1933, and in order to establish clearly the understanding of both Governments with respect to the question of rights and use of waters of the Rio Bravo (Rio Grande) along the stretch covered by said Convention, the two Governments declare through this exchange of notes that the spirit and terms of the Convention of February 1, 1933, do not alter the provisions of Conventions now in force as regards the utilization of water from the Rio Bravo (Rio Grande) and that, consequently, these matters remain entirely unaffected and in exactly the same status as existed before the Convention of February 1, 1933, was concluded.

I avail myself of this opportunity to renew to Your Excellency the assurances of my high consideration.

PUIG

HIS EXCELLENCY

MR. JOSEPHUS DANIELS,  
*Ambassador Extraordinary and Plenipotentiary  
of the United States of America,  
Mexico.*

*The American Ambassador (Daniels) to the Mexican Minister for Foreign Affairs (Puig)*

No. 187      EMBASSY OF THE UNITED STATES OF AMERICA,  
                  MEXICO, September 8, 1933.

EXCELLENCY:

In order to facilitate the early exchange of ratifications of the Convention signed between Mexico and the United States for the rectification of the Rio Grande (Rio Bravo) in the Juárez Valley, dated February 1, 1933, and in order to establish clearly the understanding of both Governments with respect to the question of rights and use of waters of the Rio Grande (Rio Bravo) along the stretch covered by said Convention, the two Governments declare through this exchange of notes that the spirit and terms of the Convention of February 1, 1933, do not alter the provisions of Conventions now in force as regards the utilization of water from the Rio Grande (Rio Bravo) and that, consequently, these matters remain entirely unaffected and in exactly the same status as existed before the Convention of February 1, 1933, was concluded.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

JOSEPHUS DANIELS.

HIS EXCELLENCY

SEÑOR DOCTOR DON JOSÉ MANUEL PUIG CASAURANC,  
*Minister for Foreign Affairs,*  
*Mexico.*

October 13, 1933.  
November 11, 1933.

*Agreement between the United States of America and Denmark for collect-on-delivery parcel-post service. Signed at Copenhagen, October 13, 1933, at Washington, November 11, 1933; approved by the President, November 17, 1933.*

October 13, 1933.  
November 11, 1933.

Agreement between the United States  
of America and Denmark for  
Collect-on-Delivery Service

For the purpose of concluding arrangements for the exchange between the United States of America (including Alaska, Hawaii, Puerto Rico, Guam, Samoa, and the Virgin Islands of the United States) and Denmark (including Faroe Islands and Greenland) of parcels marked for the collection of trade charges, the undersigned, James A. Farley, Postmaster General of the United States of America, and C. I. Mondrup, Director General of Posts of Denmark, by virtue of authority vested in them, have agreed upon the following Articles:

ARTICLE I

1. Parcel post packages admissible for mailing and insurance under the Parcel Post Agreement signed at Copenhagen the ninth day of December 1932, and at Washington the twenty-eighth day of December 1932, and having charges to be collected on delivery, shall be accepted for mailing from Denmark to any money order post office in the United States of America or from the United States of America to any money order office in Denmark.

2. Collect-on-delivery parcels shall be accepted only when insured. Collect-on-delivery parcels and the money orders issued in payment of the charges thereon shall be handled apart from ordinary dispatches of parcel post and from ordinary money orders.

Overenskomst mellem De Forenede Stater  
i Amerika og Danmark angaaende  
Postopkrævningsudveksling

Med det Formaal at indføre Udvæksling af Pakker med Postopkrævning mellem Forenede Stater i Amerika (med Alaska, Hawaii, Puerto Rico, Guam, Samoa og Virgin Øerne) og Danmark (med Færøerne og Grønland) er underskrevne James A. Farley, Generalpostmester i De Forenede Stater i Amerika, og C. I. Mondrup, Generaldirektør for Post- og Telegrafvæsenet i Danmark, i Medfør af de os meddelte Bemyndigelser kommet overens om følgende Bestemmelser:

Collect - on - delivery  
Postal agreement with  
Denmark.

ARTIKEL I

1. Pakker, som kan modtages til Postbesørgelse med angiven Værdi i Henhold til den i København den 9' December 1932 og i Washington den 28' December 1932 underskrevne Postpakkeoverenskomst, skal modtages til Postbesørgelse med Postopkrævning fra Danmark til alle Posthuse i Forenede Stater i Amerika, der udfører Postanvisningsforretninger, og fra Forenede Stater i Amerika til alle Posthuse i Danmark.

2. Postopkrævningspakker kan kun modtages som Pakker med angiven Værdi. Postopkrævningspakker og Opkrævningspostanvisninger skal behandles adskilt fra den almindelige Pakkepost og de almindelige Postanvisninger.

Admission of collect-  
on-delivery parcel-post  
packages.

Vol. 47, p. 2402.

Acceptance only  
when insured.

Segregation of par-  
cels, etc.

**May be extended to uninsured matter.**

3. By mutual consent through correspondence, the collect-on-delivery service may be extended to ordinary (uninsured) parcel post packages exchanged between the two countries with the provision that each country may handle in transit and otherwise treat ordinary (uninsured) collect-on-delivery parcels addressed to, or received from, the other country in accordance with its own domestic regulations.

**Transit parcels not included.**

4. The provisions of this Agreement do not cover transit collect-on-delivery parcels.

**Postage rates, insurance, etc., formalities.**

1. Parcels bearing charges for collection on delivery shall be subject to the postage rates, insurance fees, conditions of mailing and other formalities applicable to insured parcels without trade charges as stipulated in the aforesaid Agreement of December 9/28, 1932, when not inconsistent with the provisions of this Agreement.

Vol. 47, p. 2402.

**Additional fee from sender.**

2. The Administration of origin is entitled to collect from the sender of each parcel mailed collect-on-delivery, such collect-on-delivery fee, in addition to the required postage and other fees, as may be prescribed by its regulations, which collect-on-delivery fee shall belong entirely to the country collecting it. No special account of these fees is to be made between the two Administrations.

No accounting.

**Maximum fee.**

**Changes by mutual agreement.**

1. The maximum amount to be collected on delivery shall, for the present, be 500 francs gold or its equivalent in the currency of the country of origin. This amount may be increased or decreased at any time by mutual agreement through correspondence between the two Postal Administrations. The amount to be collected on delivery shall invariably be stated in the currency of the country of mailing.

3. Efter fælles Aftale ved Korrespondance kan Postopkrævningssudvekslingen udvides til at omfatte ogsaa almindelige Pakker (uden angiven Værdi), der udveksles mellem de to Lande, dog med den Bestemmelse, at hvert Land i Henseende til Befordring og Ekspedition iøvrigt kan behandle almindelige Postopkrævningsspakker (uden angiven Værdi), der er afsendt fra eller bestemt til det andet Land, i Overensstemmelse med dets egne indenrigske Bestemmelser.

4. Bestemmelserne i denne Overenskomst omfatter ikke transiterende Postopkrævningssakter.

## ARTICLE II

1. Postopkrævningssakter skal underkastes de i fornævnte Overenskomst af 9/28' December 1932 for Pakker med angiven Værdi uden Postopkrævning indeholdte Bestemmelser angaaende Porto, Værdiporto, Befordringsbetingelser og andre Formaliteter, forsaavidt disse Bestemmelser ikke er uforenelige med Bestemmelserne i nærværende Overenskomst.

2. Poststyrelsen i Afsendelseslandet er berettiget til uover den nødvendige Pakkeporto og andre Gebyrer at opkræve hos Afsenderen af en Postopkrævningssakke den Postopkrævningsporto, der er hjemlet ved dens egne Bestemmelser; Postopkrævningsportoen beholdes udelt af Afsendelseslandet. Der skal følgelig ikke foretages nogen Afregning af Postopkrævningsportoen mellem de 2 Poststyrelser.

## ARTIKEL II

1. Maksimum for Postopkrævningsbeløb skal indtil videre være 500 Guldfrancs eller det hertil i Afsendelseslandets Mønt svarende Beløb. Dette Beløb kan til enhver Tid forhøjes eller nedsættes efter fælles Overenskomst ved Korrespondance mellem de to Poststyrelser. Postopkrævningsbeløb skal i alle Tilfælde angives i Afsendelseslandets Mønt.

## ARTICLE III

2. When the sender makes a request early enough for any reduction or cancellation of the amount to be collected on delivery the request shall be handled between the exchange offices which have handled the parcel, unless otherwise agreed to through correspondence between the Administrations.

#### ARTICLE IV

The responsibility of properly closing, packing and sealing collect-on-delivery parcels lies upon the sender, and the postal service of neither country will assume liability for loss arising from defects which may not be observed at the time of posting.

#### ARTICLE V

1. The entire amount of the collect-on-delivery charges without any deduction for money order fee or "collection" charges is to be remitted to the sender by means of an international money order. The post office delivering the collect-on-delivery parcel will collect from the addressee the full amount of the collect-on-delivery charges and in addition thereto such money order fee or fees as are required to remit the amount of the collect-on-delivery charges to the sender in the country or origin.

2. The country effecting delivery of a collect-on-delivery parcel may at its option collect a reasonable amount, not in excess of 5 cents (25 øre), from the addressee as a collection charge, but this amount is not to be deducted from the collection charges which are remitted to the sender.

3. Examination of the contents of a collect-on-delivery parcel by the addressee is prohibited until the collect-on-delivery charges and any other charges that may be due thereon have been collected, even though the sender or addressee may make request that such action be permitted.

2. Naar Afsenderen paa et tilstrækkelig tidligt Tidspunkt fremsætter Begæring om Ned-sættelse eller Ophævelse af et Postopkrævningsbeløb, skal en saadan Begæring behandles af de Udvekslingskontorer, der har behandlet Pakken, medmindreanden Fremgangsmaade aftales ved Korrespondance mellem Poststyrelerne.

#### ARTIKEL IV

Ansvaret med Hensyn til rigtig Indpakning, Lukning og Forsegling af Postopkrævningspakker paahviler Afsenderen, og Poststyrelerne i de to Lande paatager sig ikke noget Ansvar for Tab, der opstaar som Følge af Mangler, som ikke er blevet bemærket ved Pakkens Indlevering.

Packing, etc., responsibility.

1. Hele Postopkrævningsbeløbet uden noget Fradrag af Postanvisnings- eller Postopkrævningsporto skal tilstilles Afsenderen ved Postanvisning. Det Postkontor, der udleverer en Pakke med Postopkrævning, opkræver hos Adressaten det fulde Postopkrævningsbeløb tillige med den for Postopkrævningsbeløbets Tilsendelse til Afsenderen i Afsendelseslandet nødvendige Postanvisningsporto.

Entire sum remitted to sender.

2. Det Land, der foretager Udleveringen af en Postopkrævningspakke, kan efter dets egen Bestemmelse opkræve hos Adressaten et passende Beløb som Indkasseringsgebyr, dog ikke over 5 cents (25 Øre), men dette Beløb maa ikke fradrages fra Postopkrævningsbeløbet, som tilstilles Afsenderen.

Collection charge for delivery.

3. Det er forbudt Adressaten at undersøge Indholdet af en Postopkrævningspakke, før Postopkrævningsbeløbet og eventuelle andre Gebyrer, der paahviler Pakken, er betalt, selv om Afsenderen eller Adressaten fremsætter Begæring om, at saadan Undersøgelse tilstedes.

Examination prohibited until charges paid.

## ARTICLE VI

Entry on advice of  
money order.

1. Every advice of a money order issued in either country in payment of collect-on-delivery charges on an insured parcel must show plainly the collect-on-delivery (insurance) number of the parcel and bear the letters "C.O.D." or the word "*Remboursement*" in a conspicuous position.

Information to ac-  
company advice.

2. The collect - on - delivery money order advice lists shall show, in addition to the usual details, the collect-on-delivery (insurance) number of the parcels. No collect - on - delivery money order shall be listed unless the remitter's name and the payee's name and his exact address are included.

Exchange offices.

1. Parcels with collect-on-delivery charges shall be exchanged through the same offices as are appointed for the exchange of insured parcels without collect-on-delivery charges.

Direct dispatch in  
sacks with special  
markings.

The exchange of collect-on-delivery parcels between such offices shall be effected in direct dispatches in sacks containing nothing but collect-on-delivery articles, the letters "C.O.D." or the word "*Remboursement*" being entered very conspicuously in the documents covering them, as well as on the labels of the sacks.

Separate listing bills  
required.

2. Such parcels will be listed in separate bills to show, in respect to each parcel, the collect-on-delivery number and post office and state of origin, and the collect-on-delivery amount.

Checking and report  
of receipt.

3. Upon receipt of a dispatch of collect-on-delivery parcels at the exchange office of the country of destination, the dispatch must be carefully checked and otherwise treated as provided in Article 8 of the Regulations of Execution of the Agreement of December 9/28, 1932.

Vol. 47, p. 2428.

## ARTIKEL VI

1. Enhver Postanvisning, der udstedes i de to Lande til Betaling af Postopkrævningsbeløbet paa en Pakke med angiven Værdi, skal paa et fremtrædende Sted bære tydelig Angivelse af Pakkens Registernummer samt Anførslen "C.O.D." eller "*Remboursement*".

2. Listerne over Opkrævningspostanvisninger skal udoover de sædvanlige Angivelser udvise Pakkernes Registernummer. En Opkrævningspostanvisning maa ikke opføres paa Listen, uden at Af-senderens Navn og Modtagerens Navn og nøjagtige Adresse an-gives.

## ARTIKEL VII

1. Postopkrævningspakker skal udveksles mellem de samme Kon-torer, som foretager Udvekslin-gen af Pakker med angiven Værdi uden Postopkrævning.

Udvekslingen af Postopkræv-ningspakker mellem disse Kon-torer skal foregaa ved direkte Afslutninger i Sække, som kun indeholder Postopkrævningspak-ker, og Bogstaverne "C.O.D." eller Ordet "*Remboursement*" skal anføres tydeligt saavel paa de paagældende Følgedokumenter som paa Sæk-kemærkerne.

2. Saadanne Pakker skal op-tages i særlige Karter, i hvilken der for hver Pakke skal angives Registernummer, Afsendelseskontor og stat og Postopkrævnings-beløbet.

3. Naar Udvekslingskontoret i Bestemmelseslandet modtager en Afslutning med Postopkrævningspakker, skal Afslutningen nøje kontroleres, og iøvrigt behandles som fastsat i Artikel 8 i Ekspedi-tionsreglementet til Overenskom-sten af 9/28 December 1932.

ARTICLE VIII

The offices of New York and Copenhagen shall be the only ones to send lists of collect-on-delivery money orders, and such money orders shall be listed separately from the ordinary money orders and the list shall be marked "Collect-on-Delivery" or "*Remboursement*".

ARTICLE IX

1. The collect-on-delivery money orders which have not been paid to the payee for any reason shall be subject to the disposition of the Administration of the country of origin of the articles to which they relate.

When it appears that the collect-on-delivery service was used in furtherance of a scheme to defraud, payment of the money orders in question will be withheld, if practicable, and the orders disposed of in accordance with the equities of each case under the rules and regulations of the country of origin of the collect-on-delivery parcels involved.

2. As for other formalities, collect-on-delivery money orders shall be subject to the provisions governing the money order exchange between the two countries.

ARTICLE X

1. In case an insured collect-on-delivery parcel has been lost, rifled, or damaged, the Postal Administrations are responsible as for an insured parcel without trade charges, in conformity with the provisions in Article VII of the Agreement of December 9/28, 1932.

ARTIKEL VIII

Lister over Opkrævningspost-anvisninger skal alene udfærdiges af Postkontoret i New York og Postgirokontoret i København, og Opkrævningspostanvisningerne skal opføres paa særlige Lister til Adskillelse fra almendelige Post-anvisninger, ligesom Listerne skal paategnes "Collect on Delivery" eller "*Remboursement*".

*Offices to send  
money orders.*

ARTIKEL IX

1. Postopkrævningsbeløb, som af en eller anden Grund ikke er blevet udbetalt til Opkrævningspostanvisningens Adressat, forbliver til Disposition for Poststyrelsen i det Land, hvorfra den Pakke, til hvilken Postopkrævningsbeløbet har Henhold, er afsendt.

*Disposition of unpaid  
orders.*

Saa fremt det viser sig, at Postopkrævningssystemet er blevet benyttet til Fremme af bedragerisk Formaal, skal de paagældende Opkrævningspostanvisninger tilbageholdes, hvis det er gørligt, og behandles efter hvert Tilfælde Karakter i Overensstemmelse med de Regler og Bestemmelser, som gælder i det Land, hvorfra vedkommende Postopkrævningspakke er afsendt.

*Fraudulent schemes.*

2. Med Hensyn til andre Formaliteter underkastes Opkrævningspostanvisninger de for Postanvisningsudvekslingen mellem de to Lande gældende Bestemmelser.

*Provisions governing  
other formalities.*

ARTIKEL X

1. I Tilfælde, hvor en Postopkrævningspakke med angiven Værdi er gaaet tabt, berøvet sit Indhold eller er blevet beskadiget, er Poststyrelserne ansvarlige som for en Pakke med angiven Værdi uden Postopkrævning i Overensstemmelse med Bestemmelserne i Artikel VII i Overenskomsten af 9/28 December 1932.

*Responsibility for  
losses, etc.*

Vol. 47, p. 2406.

Payment to claimant  
by Administration re-  
sponsible for loss, etc.

2. When a collect-on-delivery parcel has been delivered to the addressee but the charges have not been remitted, the sender or other rightful claimant is entitled to an indemnity corresponding to the collect-on-delivery amount not remitted, provided that he has made his claim in due time and unless the delivery without collecting the charges has arisen from the fault or negligence of the sender or from the transmission of the contents in parcel post mails being prohibited.

This stipulation also applies to the case that a lower amount than the full collect-on-delivery charge is collected from the addressee.

Limitation of indem-  
nity.

The indemnity provided for in this section may not in any case exceed the collect-on-delivery amount.

Fixing responsibility,  
etc.

3. As to the fixing of the responsibility and the payment of the indemnity the same stipulations shall be applied as are provided for insured parcels not sent collect-on-delivery, as set forth in Article VII of the aforesaid Agreement of December 9/28, 1932.

Action, when parcel  
recovered after indem-  
nity paid.

4. When a collect-on-delivery parcel for which indemnity has been paid is recovered, the postmaster at the delivering office will deliver the parcel and collect the charges, hold such amount and request instructions from the Administration to which his office is subordinate. If the addressee, however, refuses to accept a recovered parcel and pay the charges, the postmaster will hold it and likewise seek instructions as to its disposition. In the latter case the Administration responsible for the indemnity shall determine the disposition to be made of the parcel involved.

Administration pay-  
ing, subrogated to  
rights of sender.

5. By the fact of the payment of indemnity, the Administration making the payment is subrogated to the rights of the sender

2. Hvis en Postopkrævningspakke er blevet udleveret til Adressaten, men Postopkrævningsbeløbet ikke er blevet udbetalt Afsenderen, har denne eller en anden legitimeret Reklamant Ret til en Erstatning, der svarer til det ikke udbetalte Postopkrævningsbeløb, forudsat at han har fremsat sit Krav i rette Tid, og med mindre Udleveringen uden Opkrævning skyldes Afsenderens Fejl eller Forsømmelse eller skyldes Forsendelse af Genstande, som det er forbudt at sende i Postpakker.

Denne Bestemmelse finder ogsaa Anvendelse i det Tilfælde, at der hos Adressaten er opkrævet et mindre Beløb end det fulde Postopkrævningsbeløb.

Erstatning i Henhold til Bestemmelserne i dette Punkt kan ikke i noget Tilfælde overstige Postopkrævningsbeløbet.

3. Med Hensyn til Bestemmelse af Ansvarligheden og Udbetaling af Erstatning gælder samme Regler som de i Artikel VII i Overenskomsten af 9/28 December 1932 for Pakker med angiven Værdi uden Postopkæving fastsatte.

4. Saafremt en Postopkrævningspakke, for hvilken Erstatning er blevet udbetalt, efter kommer til Veje, skal Udleveringspostkontoret udlevere Pakken og opkræve Postopkrævningsbeløbet, tilbageholde Beløbet og indhente Forholdsordre hos den foresatte Poststyrelse. Hvis Adressaten imidlertid nægter at modtage en Pakke, der saaledes er kommet til Veje, og at betale Postopkrævningsbeløbet, skal Postkontoret tilbageholde Pakken og ligeledes indhente Forholdsordre angaaende dens Behandling. I sidste Tilfælde træffer den erstatningspligtige Poststyrelse Bestemmelse om den paagældende Pakkes videre Behandling.

5. Ved Udbetaling af Erstatningen indtræder den Poststyrelse, der har udredet Erstatningen, i ethvert Krav vedrørende

for any eventual recourse concerning the parcel against the addressee or a third party.

## ARTICLE XI

Each collect-on-delivery parcel and the relative customs declaration must bear, on the address side, the conspicuous impression of an official stamp or label reading "COLLECT ON DELIVERY" or "C.O.D." or "*Remboursement*", and in close proximity to these words there must appear the number given the parcel which shall be the insurance number (only one original number) and after it must be shown in Roman letters and in Arabic figures the exact amount of the collect - on - delivery charges which should not include the additional money order fee or fees that will be collected in the country making delivery of the parcel for making the remittance to the sender in the country of mailing.

## ARTICLE XII

1. Unless mutually agreed otherwise, collect-on-delivery parcels shall not be reforwarded to a third country.

2. The sender of a collect-on-delivery parcel may cause it to be recalled as provided in Article X of the Agreement of December 9/28, 1932.

## ARTICLE XIII

The sender may provide, in case his collect-on-delivery parcel is undeliverable as originally addressed, for other disposition to be made of it the same as in the case of parcels without trade charges and as stipulated in Article 9 of the Regulations of Execution of the Agreement of December 9/28, 1932.

## ARTICLE XIV

Details as to the methods of handling indemnity claims involving collect-on-delivery parcels and

Pakken, som Afsenderen maatte have paa Adressaten eller Trediemand.

## ARTIKEL XI

Enhver Postopkrævningspakke samt den tilhørende Tolddeklaration skal paa Adressesiden bære et tydeligt Aftryk af et officiel Stempel eller en Etiket med Angivelsen "Collect on Delivery" eller "C.O.D." eller "Remboursement", og umiddelbart ved denne Angivelse skal anføres Pakkens Registernummer (kun eet oprindeligt Nummer), og derefter skal det nøjagtige Postopkrævningsbeløb anføres med latinske Bogstaver og arabiske Tal, hvilket Beløb ikke maa indbefatte Tillægsgebyret for en Postanvisning eller andre Gebyrer, som opkræves i det Land, der udleverer Pakken, for at anvise Beløbet til Afsenderen i Afsendelseslandet.

Official stamping of  
parcels, etc.

## ARTIKEL XII

1. Med mindre anden Aftale træffes, omekspedes Postopkrævningspakker ikke til et tredie Land.

2. Afsenderen af en Postopkrævningspakke kan begære den tilbageleveret i Overensstemmelse med Bestemmelserne i Postpakketooverenskomsten af 9/28 December 1932 Artikel X.

Reforwarding to  
other countries.

Recall by sender.

Vol. 47, p. 2412.

## ARTIKEL XIII

Afsenderen kan for det Tilfælde, at en Postopkrævningspakke er ubesørgelig efter den oprindelige Adresse, træffe Bestemmelse om dens Behandling paa samme Maade som med Hensyn til Pakker uden Postopkrævning, jfr. Artikel 9 i Ekspeditionsreglementet til Overenskomsten af 9/28 December 1932.

Disposition of unde-  
liverable articles.

Vol. 47, p. 2428.

Nærmere Bestemmelser om Behandlingen af Erstatningskrav vedrørende Postopkrævningspak-

Arranging details for  
handling indemnity  
claims.

October 13, 1933.  
November 11, 1933.

other details for the execution of this Agreement may be arranged by correspondence between the two Administrations.

### ARTICLE XV

*Application of other conventions to matters not covered hereby.*

Vol. 46, p. 2523.

All matters connected with the exchange of collect-on-delivery articles not covered by this Agreement shall be covered by the Money Order, Postal, and Parcel Post Conventions in force between the two countries, or by the provisions of the Universal Postal Union Convention and the Detailed Regulations for its Execution, insofar as they are applicable and not inconsistent with the provisions of this Agreement, and then if no other arrangement has been made, the internal legislation or regulations of the United States of America or Denmark, according to the country involved, shall govern, or the matter will be made the subject of mutual agreement by correspondence between the two countries.

### ARTICLE XVI

*Temporary suspension of service.*

Either Administration may temporarily suspend the collect-on-delivery service, in whole or in part, when there are special reasons for doing so, or restrict it to certain offices; but on condition that previous and opportune notice of such a measure is given to the other Administration, such notice to be given by the most rapid means if necessary.

### ARTICLE XVII

*Effect and duration.*

This Agreement shall take effect and operations thereunder shall begin on a date to be mutually settled between the Administrations of the two countries, and shall continue in force until terminated by mutual agreement; but may be annulled at the desire of either Administration upon six months' previous notice given to the other.

ker og om Gennemførelsen af denne Overenskomst kan træffes ved Korrespondance mellem de to Poststyrelser.

### ARTIKEL XV

Alle Forhold vedrørende Udviklingen af Postopkrævningsforsendelser, som ikke er omhandlet i denne Overenskomst, skal behandles efter Reglerne i de mellem de to Lande gældende Postanvisnings- og Pakkepost-overenskomster eller efter Bestemmelserne i Verdenspostkonventionen, og dennes Ekspeditionsreglement, alt forsaavidt disse Bestemmelser er anvendelige og ikke er uforenelige med Bestemmelserne i denne Overenskomst, medens derefter, hvis ikke anden Ordning er truffet, De Forenede Staters eller Danmarks interne Lovgivning eller Reglementer skal bringes til Anvendelse, eller Sagen skal gøres til Genstand for Aftale ved Korrespondance mellem de to Lande.

### ARTIKEL XVI

Hver af Poststyrelserne kan midlertidigt suspendere Postopkrævningstjenesten helt eller delvis, naar der foreligger særlige Grunde derfor, eller begrænse den til visse Postkontorer men paa Betingelse af, at der forud gives den anden Poststyrelse fornøden Meddelelse om et saadant Skridt, hvilken Meddelelse skal gives med Benyttelse af de hurtigste Midler, saafremt det er nødvendigt.

### ARTIKEL XVII

Denne Overenskomst skal træde i Kraft, og de Forretninger, den omhandler, skal begynde paa en efter Aftale mellem Poststyrelserne i de to Lande fastsat Dato, og Overenskomsten skal forblive i Kraft, indtil den ophører efter fælles Aftale, men den kan ophæves efter den ene Poststyrelsес Ønske efter et 6 Maaneder forud givet Varsel.

October 13, 1933.  
November 11, 1933.

Done in duplicate and signed at Copenhagen, the thirteenth day of October 1933, and at Washington, the 11th day of November 1933.

[SEAL]

JAMES A. FARLEY,  
The Postmaster General of  
the United States of America.

C. MONDRUP,  
The Director General of  
Posts of Denmark.

Udfærdiget i to Eksemplarer  
og underskrevet i København den  
13 Oktober 1933 og i Washington  
den 11' November 1933.

[SEAL]

C. MONDRUP,  
Generaldirektør for Post-  
og Telegrafvæsenet i Danmark.

JAMES A. FARLEY,  
Generalpostmester i De  
Forenede Stater i Amerika.

Signatures.

The foregoing Agreement for Collect-on-Delivery Service between the United States of America and Denmark has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

Approval by the President.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS,

Acting Secretary of State.

WASHINGTON, November 17, 1933.

March 9, 1934.*Ante, p. 1507.*

*Declaration by which the Free City of Danzig becomes a contracting party to the treaty of friendship, commerce, and consular rights of June 15, 1931, between the United States of America and Poland; signed March 9, 1934; effective March 24, 1934.*

*The Polish Ambassador (Patek) to the Secretary of State*

AMBASSADE DE POLOGNE,  
Washington, le 9 mars, 1934.

MONSIEUR LE SECRÉTAIRE D'ETAT,

Declaration by Polish Government.

D'ordre de mon Gouvernement j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit:

Le Gouvernement Polonais, auquel il appartient d'assurer la conduite des affaires extérieures de la Ville Libre de Dantzig en vertu de l'article 104 du Traité de Paix, signé à Versailles le 28 Juin 1919 et des articles 2 et 6 de la Convention entre la Pologne et la Ville Libre de Dantzig, signée à Paris le 9 Novembre 1920, déclare, en agissant pour la Ville Libre de Dantzig et en exécution de l'article XXIX du Traité d'amitié, de commerce et des droits consulaires entre la Pologne et les Etats-Unis d'Amérique, signé à Washington le 15 Juin 1931, que la Ville Libre de Dantzig devient Partie Contractante au dit Traité à partir du 15-ème jour de la date de la réception par le Gouvernement des Etats-Unis d'Amérique de la présente notification.

J'ai l'honneur de prier Votre Excellence de bien vouloir m'accuser réception de la présente note.

Veuillez agréer, Monsieur le Ministre, les assurances de ma très haute considération.

S PATEK

SON EXCELLENCE

MONSIEUR CORDELL HULL,  
*Secrétaire d'Etat.*

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*The Secretary of State to the Polish Ambassador (Patek)*

DEPARTMENT OF STATE,  
Washington, March 9, 1934.

EXCELLENCY:

Recognition by Government of United States.

In compliance with your request, I have the honor on behalf of the Government of the United States of America to acknowledge the receipt of your note of this date, reading in translation as follows:

"Under instructions from my Government, I have the honor to communicate to your Excellency the following:

"The Polish Government, which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Peace, signed at Versailles, June 28, 1919, and under Articles 2 and 6 of the Convention between Poland and the Free City of

Danzig, signed at Paris, November 9, 1920, declares, on behalf of Danzig and in execution of the provisions of Article XXIX of the Treaty of Friendship, Commerce and Consular Rights between Poland and the United States of America, signed at Washington, June 15, 1931, that the Free City of Danzig shall become a contracting party of the said Treaty from the fifteenth day following the date of the receipt by the Government of the United States of America of this notification.

"I have the honor to request your Excellency to acknowledge receipt of this note."

The Government of the United States is happy to take note of this declaration, and will be pleased to recognize the Free City of Danzig as a contracting party to the Treaty of Friendship, Commerce and Consular Rights between the United States and Poland, signed at Washington, June 15, 1931, from March 24, 1934, the fifteenth day following the date on which the declaration hereby acknowledged was received by the Government of the United States.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

MR. STANISLAW PATEK,  
*Ambassador of Poland.*

May 29, 1934.

*Treaty between the United States of America and Cuba defining their relations. Signed at Washington, May 29, 1934; ratification advised by the Senate of the United States, May 31, 1934; ratified by the President, June 5, 1934; ratified by Cuba, June 4, 1934; ratifications exchanged at Washington, June 9, 1934; proclaimed, June 9, 1934.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

**Preamble.**

WHEREAS a Treaty of Relations between the United States of America and the Republic of Cuba was concluded and signed by their respective Plenipotentiaries at Washington on the twenty-ninth day of May, one thousand nine hundred and thirty-four, the original of which Treaty, being in the English and Spanish languages, is word for word as follows:

**Contracting powers.**

The United States of America and the Republic of Cuba, being animated by the desire to fortify the relations of friendship between the two countries and to modify, with this purpose, the relations established between them by the Treaty of Relations signed at Habana, May 22, 1903, have appointed, with this intention, as their Plenipotentiaries:

**Vol. 33, p. 2248.****Plenipotentiaries.**

The President of the United States of America; Mr. Cordell Hull, Secretary of State of the United States of America, and Mr. Sumner Welles, Assistant Secretary of State of the United States of America; and

The Provisional President of the Republic of Cuba, Señor Dr. Manuel Márquez Sterling, Ambassador Extraordinary and Plenipotentiary of the Republic of Cuba to the United States of America;

Who, after having communicated to each other their full powers which were found to be in good and due form, have agreed upon the following articles:

Los Estados Unidos de América y la República de Cuba, animados por el deseo de fortalecer los lazos de amistad entre los dos países y de modificar, con ese fin, las relaciones establecidas entre ellos por el Tratado de Relaciones firmado en la Habana el 22 de mayo de 1903, han nombrado con ese propósito, como sus Plenipotenciarios:

El Presidente de los Estados Unidos de América; al Señor Cordell Hull, Secretario de Estado de los Estados Unidos de América y al Señor Sumner Welles, Subsecretario de Estado de los Estados Unidos de América; y

El Presidente Provisional de la República de Cuba, al Señor Dr. Manuel Márquez Sterling, Embajador Extraordinario y Plenipotenciario de la República de Cuba en los Estados Unidos de América;

Quienes, después de haberse comunicado entre sí sus plenos poderes, y encontrándolos en buena y debida forma, han convenido en los siguientes artículos:

## ARTICLE I

The Treaty of Relations which was concluded between the two contracting parties on May 22, 1903, shall cease to be in force, and is abrogated, from the date on which the present Treaty goes into effect.

## ARTICLE II

All the acts effected in Cuba by the United States of America during its military occupation of the island, up to May 20, 1902, the date on which the Republic of Cuba was established, have been ratified and held as valid; and all the rights legally acquired by virtue of those acts shall be maintained and protected.

## ARTICLE III

Until the two contracting parties agree to the modification or abrogation of the stipulations of the agreement in regard to the lease to the United States of America of lands in Cuba for coaling and naval stations signed by the President of the Republic of Cuba on February 16, 1903, and by the President of the United States of America on the 23d day of the same month and year, the stipulations of that agreement with regard to the naval station of Guantánamo shall continue in effect. The supplementary agreement in regard to naval or coaling stations signed between the two Governments on July 2, 1903, also shall continue in effect in the same form and on the same conditions with respect to the naval station at Guantánamo. So long as the United States of America shall not abandon the said naval station of Guantánamo or the two Governments shall not agree to a modification of its present limits, the station shall continue to have the territorial area that it now has, with the limits that it has on the date of the signature of the present Treaty.

## ARTICULO I

El Tratado de Relaciones que se concluyó entre las dos partes contratantes el 22 de mayo de 1903 dejará de tener validez, y queda abrogado, desde la fecha en que comience a regir el presente Tratado.

Former treaty abrogated.  
Vol. 33, p. 2.

## ARTICULO II

Todos los actos realizados en Cuba por los Estados Unidos de América durante su ocupación militar de la isla, hasta el 20 de mayo de 1902, fecha en que se estableció la República de Cuba, han sido ratificados y tenidos como válidos; y todos los derechos legalmente adquiridos a virtud de esos actos serán mantenidos y protegidos.

Validation of military acts, etc.

Maintenance of legal rights.

## ARTICULO III

En tanto las dos partes contratantes no se pongan de acuerdo para la modificación o abrogación de las estipulaciones del Convenio firmado por el Presidente de la República de Cuba el 16 de febrero de 1903, y por el Presidente de los Estados Unidos de América el 23 del mismo mes y año, en cuanto al arrendamiento a los Estados Unidos de América de terrenos en Cuba para estaciones carboneras o navales, seguirán en vigor las estipulaciones de ese Convenio en cuanto a la Estación Naval de Guantánamo. Respecto a esa estación naval seguirá también en vigor en las mismas forma y condiciones el arreglo suplementario referente a estaciones navales o carboneras terminado entre los dos Gobiernos el 2 de julio de 1903. Mientras no se abandone por parte de los Estados Unidos de América la dicha Estación Naval de Guantánamo o mientras los dos Gobiernos no acuerden una modificación de sus límites actuales, seguirá teniendo la extensión territorial que ahora ocupa, con los límites que tiene en la fecha de la firma del presente Tratado.

Coaling and naval stations, lease.

Present stipulations concerning, to continue provisionally.

Guantánamo station area not affected.

## ARTICLE IV

Suspension of communications during epidemic.

If at any time in the future a situation should arise that appears to point to an outbreak of contagious disease in the territory of either of the contracting parties, either of the two Governments shall, for its own protection, and without its act being considered unfriendly, exercise freely and at its discretion the right to suspend communications between those of its ports that it may designate and all or part of the territory of the other party, and for the period that it may consider to be advisable.

## ARTICULO IV

Si en cualquier tiempo surgiese en el futuro una situación que apareciera presagiar un brote de enfermedad contagiosa en el territorio de una u otra de las dos partes contratantes, cualquiera de los dos Gobiernos, para su propia protección, y sin que su acto sea considerado poco amistoso, ejercerá libremente y a su discreción el derecho de suspender las comunicaciones entre los puertos suyos que designe y todo o parte del territorio de la otra parte y por el tiempo que estime conveniente.

## ARTICLE V

Ratification.

The present Treaty shall be ratified by the contracting parties in accordance with their respective constitutional methods; and shall go into effect on the date of the exchange of their ratifications, which shall take place in the city of Washington as soon as possible.

Signatures.

IN FAITH WHEREOF, the respective Plenipotentiaries have signed the present Treaty and have affixed their seals hereto.

DONE in duplicate, in the English and Spanish languages, at Washington on the twenty-ninth day of May, one thousand nine hundred and thirty-four.

## ARTICULO V

El presente Tratado será ratificado por las partes contratantes de acuerdo con sus métodos constitucionales respectivos; y comenzará a regir en la fecha del cambio de sus ratificaciones, el cual tendrá lugar en la ciudad de Washington tan pronto como sea posible.

EN FE DE LO CUAL, los Plenipotenciarios respectivos han firmado el presente Tratado y han estampado sus sellos.

HECHO por duplicado, y en los idiomas inglés y español, en Washington el día veinte y nueve de mayo, de mil novecientos treinta y cuatro.

[SEAL] CORDELL HULL  
 [SEAL] SUMNER WELLES  
 [SEAL] M. MÁRQUEZ STERLING

Proclamation.

AND WHEREAS, the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the ninth day of June, one thousand nine hundred and thirty-four;

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this ninth day of June, in the year of our Lord one thousand nine hundred and thirty-four  
[SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*



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# PROCLAMATIONS

OF THE

## PRESIDENT OF THE UNITED STATES

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1687



# PROCLAMATIONS

[CONVENING THE CONGRESS IN EXTRA SESSION]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

March 5, 1933.

WHEREAS public interests require that the Congress of the United States should be convened in extra session at twelve o'clock, noon, on the Ninth day of March, 1933, to receive such communication as may be made by the Executive;

Preamble.

Now, Therefore, I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the City of Washington on the Ninth day of March, 1933, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

Convening extra session of Congress, March 9, 1933.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the City of Washington this Fifth day of March, in the year of our Lord One Thousand Nine Hundred and Thirty-three, and [SEAL] of the Independence of the United States the One Hundred and Fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2038]

[BANK HOLIDAY, MARCH 6-9, 1933, INCLUSIVE]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

March 6, 1933.

WHEREAS there have been heavy and unwarranted withdrawals of gold and currency from our banking institutions for the purpose of hoarding; and

Bank holiday. Preamble.

WHEREAS continuous and increasingly extensive speculative activity abroad in foreign exchange has resulted in severe drains on the Nation's stocks of gold; and

WHEREAS these conditions have created a national emergency; and

WHEREAS it is in the best interests of all bank depositors that a period of respite be provided with a view to preventing further hoarding of coin, bullion or currency or speculation in foreign exchange and permitting the application of appropriate measures to protect the interests of our people; and

Trading with the  
Enemy Act.  
Regulation of foreign  
exchange, coin-export,  
etc.  
Vol. 40, p. 415.  
Post. p. 1691.

Penalties specified for  
violations.  
Vol. 40, p. 425.

Bank, etc., holiday  
declared March 6 to 9,  
1933.  
*Ante*, p. 1.

Banking transactions  
to be suspended during  
period.

Authority of Secre-  
tary of the Treasury to  
permit certain func-  
tions.

"Banking institu-  
tions" construed.

WHEREAS it is provided in Section 5(b) of the Act of October 6, 1917, (40 Stat. L. 411) as amended, "That the President may investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange and the export, hoarding, melting, or earmarkings of gold or silver coin or bullion or currency \* \* \*"; and

WHEREAS it is provided in Section 16 of the said Act "that whoever shall willfully violate any of the provisions of this Act or of any license, rule, or regulation issued thereunder, and whoever shall willfully violate, neglect, or refuse to comply with any order of the President issued in compliance with the provisions of this Act, shall, upon conviction, be fined not more than \$10,000, or, if a natural person, imprisoned for not more than ten years, or both; \* \* \*";

Now, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, in view of such national emergency and by virtue of the authority vested in me by said Act and in order to prevent the export, hoarding, or earmarking of gold or silver coin or bullion or currency, do hereby proclaim, order, direct and declare that from Monday, the sixth day of March, to Thursday, the ninth day of March, Nineteen Hundred and Thirty Three, both dates inclusive, there shall be maintained and observed by all banking institutions and all branches thereof located in the United States of America, including the territories and insular possessions, a bank holiday, and that during said period all banking transactions shall be suspended. During such holiday, excepting as hereinafter provided, no such banking institution or branch shall pay out, export, earmark, or permit the withdrawal or transfer in any manner or by any device whatsoever, of any gold or silver coin or bullion or currency or take any other action which might facilitate the hoarding thereof; nor shall any such banking institution or branch pay out deposits, make loans or discounts, deal in foreign exchange, transfer credits from the United States to any place abroad, or transact any other banking business whatsoever.

During such holiday, the Secretary of the Treasury, with the approval of the President and under such regulations as he may prescribe, is authorized and empowered (a) to permit any or all of such banking institutions to perform any or all of the usual banking functions, (b) to direct, require or permit the issuance of clearing house certificates or other evidences of claims against assets of banking institutions, and (c) to authorize and direct the creation in such banking institutions of special trust accounts for the receipt of new deposits which shall be subject to withdrawal on demand without any restriction or limitation and shall be kept separately in cash or on deposit in Federal Reserve Banks or invested in obligations of the United States.

As used in this order the term "banking institutions" shall include all Federal Reserve banks, national banking associations, banks, trust companies, savings banks, building and loan associations, credit unions, or other corporations, partnerships, associations or persons, engaged in the business of receiving deposits, making loans, discounting business paper, or transacting any other form of banking business.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the City of Washington this 6th day of March—1 A.M.  
in the year of our Lord One Thousand Nine Hundred and  
[SEAL] Thirty-three, and of the Independence of the United  
States the One Hundred and Fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2039]

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[CONTINUING IN FORCE THE BANK HOLIDAY PROCLAMATION OF  
MARCH 6, 1933]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

March 9, 1933.

WHEREAS, on March 6, 1933, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by Proclamation declared the existence of a national emergency and proclaimed a bank holiday extending from Monday the 6th day of March to Thursday the 9th day of March, 1933, both dates inclusive, in order to prevent the export, hoarding or earmarking of gold or silver coin, or bullion or currency, or speculation in foreign exchange; and

Bank holiday.  
Preamble.  
*Ante*, p. 1689.

WHEREAS, under the Act of March 9, 1933, all Proclamations heretofore or hereafter issued by the President pursuant to the authority conferred by section 5(b) of the Act of October 6, 1917, as amended, are approved and confirmed; and

Statutory approval  
and authority.  
*Ante*, p. 1.  
Vol. 40, p. 415.

WHEREAS, said national emergency still continues, and it is necessary to take further measures extending beyond March 9, 1933, in order to accomplish such purposes:

Further measures  
necessary under present  
emergency.

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in view of such continuing national emergency and by virtue of the authority vested in me by Section 5(b) of the Act of October 6, 1917 (40 Stat. L., 411) as amended by the Act of March 9, 1933, do hereby proclaim, order, direct and declare that all the terms and provisions of said Proclamation of March 6, 1933, and the regulations and orders issued thereunder are hereby continued in full force and effect until further proclamation by the President.

Bank holiday ex-  
tended beyond March  
9, 1933.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the United States to be affixed.

Done in the District of Columbia, this 9th day of March, in the Year of our Lord One Thousand Nine Hundred and Thirty-[SEAL] three, and of the Independence of the United States the One Hundred and Fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2040]

APPOINTING WILLIAM H. WOODIN DIRECTOR GENERAL OF RAILROADS  
BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 15, 1933.

Preamble.

WHEREAS Ogden L. Mills has tendered his resignation as Director General of Railroads; and

WHEREAS such resignation has been accepted effective upon the qualification of his successor;

Appointing William H. Woodin Director General of Railroads.

Vol. 41, p. 456; Vol. 40, p. 451; Vol. 39, p. 619.

Effective date.

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power and authority so vested in me under the Transportation Act of 1920, the unrepealed provisions of the Federal Control Act of March 21, 1918, and the act entitled "AN ACT Making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes," approved August 29, 1916, and of all other powers me hereto enabling, do hereby appoint, effective the 15th day of March, 1933, William H. Woodin, Secretary of the Treasury, to be Director General of Railroads in the stead of the said Ogden L. Mills, and do hereby delegate to and continue and confirm in him all powers and authority heretofore granted to and now possessed by the said Ogden L. Mills as Director General of Railroads; and do hereby authorize and direct the said William H. Woodin or his successor in office, until otherwise provided by proclamation of the President or by act of Congress, either personally or through such divisions, agencies, or persons as he may authorize, to exercise and perform, as fully in all respects as the President is authorized to do, all and singular the powers and duties conferred or imposed upon me by the said unrepealed provisions of the Federal Control Act of March 21, 1918, and the said Transportation Act of February 28, 1920, except the designation of the agent under section 206 thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15th day of March, in the year of our Lord nineteen hundred and thirty-three, and  
 [SEAL] of the Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:  
 CORDELL HULL  
*Secretary of State.*

[No. 2041]

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DESIGNATING AND APPOINTING WILLIAM H. WOODIN, DIRECTOR GENERAL OF RAILROADS, AND HIS SUCCESSOR IN OFFICE, AS THE AGENT PROVIDED FOR IN SECTION 206 OF THE ACT OF CONGRESS APPROVED FEBRUARY 28, 1920

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 15, 1933.  
A PROCLAMATION

Preamble.  
 Transportation Act,  
 1920.  
 Vol. 47, p. 64.  
 Vol. 41, p. 460.

WHEREAS by proclamation dated February 12, 1932, Ogden L. Mills, Director General of Railroads, was designated as the agent provided for in section 206 of the Transportation Act, 1920; and

WHEREAS the said Ogden L. Mills, Director General of Railroads, as aforesaid has tendered his resignation as said agent, which has been duly accepted, effective upon the qualification of his successor;

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power and authority vested in me by said act, and of all other powers me hereto enabling, do hereby designate and appoint, effective the 15th day of March, 1933, William H. Woodin, Director General of Railroads, and his successor in office, as the agent provided for in section 206 of said act, approved February 28, 1920.

*Appointment of  
agent.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15th day of March, in the year of our Lord nineteen hundred and thirty-three, and of [SEAL] the Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2042]

### CHILD HEALTH DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

March 31, 1933.

WHEREAS the Congress by joint resolution has authorized and requested the President of the United States of America to proclaim annually that May Day is Child Health Day; and

*Child Health Day,  
1933.  
Preamble.  
Vol. 45, p. 617.*

WHEREAS the health and welfare of our children concern not only their parents, but also the nation at large; and

WHEREAS the observance of such a day gives us opportunity to unite in furthering the health and protection of our children;

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate May 1 of this year as Child Health Day, and call upon all agencies, public and private, and all individuals having the interest of children at heart, to set aside that day for earnest consideration of the needs of the children in their communities and in their homes and to inaugurate constructive activities to protect and promote the health and physical vigor of the youth of our nation.

*Designating May 1,  
1933.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this thirty-first day of March, in the year of our Lord nineteen hundred and thirty-three, [SEAL] and of the Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2043]

## DECREASING RATES OF DUTY ON AGRICULTURAL HAND TOOLS AND PARTS THEREOF

April 3, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Tariff on agricultural hand tools and parts thereof.  
 Preamble.  
 Statutory authorization.  
 Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of Title III, Part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes," the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, shovels, spades, scoops, forks, hoes, rakes, scythes, sickles, grass hooks, corn knives, and drainage tools, all the foregoing if agricultural hand tools, and parts thereof, composed wholly or in chief value of metal, whether partly or wholly manufactured, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing country;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the commission has found it shown by said investigation that the principal competing country is Germany, and that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing country, and has specified in its report the decreases in the rates of duty expressly fixed by statute found by the commission to be shown by said investigation to be necessary to equalize such differences; and

WHEREAS in the judgment of the President such rates of duty are shown by such investigation of the Tariff Commission to be necessary to equalize such differences in costs of production;

Decreasing duty to equalize differences in costs of production.

Vol. 46, p. 626.

Vol. 46, p. 619.

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the following rates of duty found to be shown by said investigation to be necessary (within the limit of total decrease provided for in said act) to equalize such differences in costs of production:

A decrease in the rate of duty expressly fixed in paragraph 373 of Title I of said act on forks, hoes, and rakes, all the foregoing if agricultural hand tools, and parts thereof, composed wholly or in chief value of metal, whether partly or wholly manufactured, from 30 per centum ad valorem to 15 per centum ad valorem;

A decrease in the rates of duty expressly fixed in paragraph 355 of Title I of said act on hay forks and 4-tined manure forks, all the foregoing, finished or unfinished, not specially provided for, with handles of any material other than those specifically mentioned in paragraph 355, if 4 inches in length or over, exclusive of handle, from 8 cents each and 45 per centum ad valorem to 4 cents each and 22½ per centum ad valorem; and

A decrease in the rates of duty expressly fixed in paragraph 355 of Title I of said act on hay forks and 4-tined manure forks, finished or unfinished, not specially provided for, any of the foregoing without

handles, with blades 6 inches or more in length, from 8 cents each and 45 per centum ad valorem to 4 cents each and 22½ per centum ad valorem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this third day of April, in the year of our Lord nineteen hundred and thirty-three, and of the [SEAL] Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2044]

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### MOTHER'S DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 2, 1933.

### A PROCLAMATION

WHEREAS by House Joint Resolution 263, approved and signed by President Wilson on May 8, 1914, the second Sunday in May of each year has been designated as Mother's Day for the expression of our love and reverence for the mothers of our country; and

Mother's Day, 1933.  
Preamble.  
Vol. 38, p. 770.

WHEREAS Senate Resolution 16, adopted May 1, 1933, states that "there are throughout our land today an unprecedentedly large number of mothers and dependent children who, because of unemployment or loss of their bread earners, are lacking many of the necessities of life", and the President of the United States is therein authorized and requested to issue a proclamation calling these matters to the attention of our citizens on Mother's Day this year;

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me, do hereby issue my proclamation calling upon our citizens to express on Mother's Day, Sunday, May 14, 1933, our love and reverence for motherhood:

Observance of Sun-  
day, May 14, 1933, as  
Mother's Day.

- (a) By the customary display of the United States flag on all Government buildings, homes, and other suitable places;
- (b) By the usual tokens and messages of affection to our mothers; and
- (c) By doing all that we can through our churches, fraternal and welfare agencies, for the relief and welfare of mothers and children who may be in need of the necessities of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2<sup>d</sup> day of May, in the year of our Lord nineteen hundred and thirty-three, and of the [SEAL] Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2045]

## NATIONAL MARITIME DAY

May 20, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

National Maritime  
Day.  
Preamble.  
*Ante*, p. 73.

Observance of May  
22, 1933.

WHEREAS in Public Resolution 7, approved May 20, 1933, it is stated that on May 22, 1819, the steamship *The Savannah* departed from Savannah, Georgia, on the first successful transoceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation; and

WHEREAS by said Resolution the President of the United States is authorized and requested annually to issue a proclamation calling upon the people of the United States to observe May 22 of each year as National Maritime Day;

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me, do hereby issue my proclamation calling upon the people of the United States to observe May 22, 1933, as National Maritime Day by displaying the flag at their homes or other suitable places, and I hereby direct that Government officials display the flag on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 20th day of May, in the year of our Lord nineteen hundred and thirty-three, and of [SEAL] the Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2046]

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**EMERGENCY BOARD, KANSAS CITY SOUTHERN RAILWAY COMPANY,  
TEXARKANA AND FORT SMITH RAILWAY COMPANY, ARKANSAS  
WESTERN RAILWAY COMPANY—EMPLOYEES.**

June 12, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Labor disputes, Kansas City Southern, etc., Railways and certain of their employees.

WHEREAS the President, having been duly notified by the Board of Mediation that disputes between the Kansas City Southern Railway Company, the Texarkana and Fort Smith Railway Company and the Arkansas Western Railway Company, carriers, and certain of their employees represented by

Order of Railway Conductors;  
Brotherhood of Locomotive Engineers;  
Brotherhood of Locomotive Firemen and Enginemen;  
Brotherhood of Railroad Trainmen;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, now threaten substantially to interrupt interstate commerce within the States of Arkansas, Kansas, Louisiana,

Missouri, Oklahoma and Texas, to a degree such as to deprive that section of the country of essential transportation service;

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, do hereby create a board to be composed of Three (3) persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within 30 days from this date.

Emergency b o a r d  
created to investigate  
and report thereon.

Vol. 44, p. 586.  
U.S.C., p. 2110.

Compensation, etc.

*Ante*, p. 8.

Vol. 47, p. 405.

Expenditures of  
board.  
*Ante*, p. 286.

The members of this board shall be compensated for and on account of such duties in the sum of Fifty Dollars (\$50) for every day actually employed with or upon account of travel and duties incident to such board, from which will be deducted fifteen percent. (15%) as provided in Public No. 2, 73d Congress, Approved March 20, 1933. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses of themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a.m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

All expenditures of the board shall be allowed and paid for out of the appropriation "emergency Boards, Railway Labor Act, May 20, 1926, 1933 and 1934" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 12<sup>th</sup> day of June in the year of our Lord nineteen hundred and thirty-three, and of the [SEAL] Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President.

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2047]

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IMMIGRATION QUOTAS

June 16, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Secretary of State, the Secretary of Commerce, and the Secretary of Labor have reported to the President that pursuant to the duty imposed and the authority conferred upon them in and by subsection (2) of subdivision (c) of section 12 of the immigration act approved May 26, 1924 (43 Stat. 161), they jointly have made the revision provided for in subdivision (c) of section 12 of the said act and have fixed the quota of each respective nationality in accordance therewith to be as hereinafter set forth:

Immigration of aliens.  
Preamble.  
Vol. 43, p. 161; Vol.  
44, p. 1455; Vol. 45, p.  
400.

Now, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the power in me vested by the aforesaid act of Congress, do hereby proclaim and make known that the annual quota of each nationality for the

Annual quota of  
nationality to be ad-  
mitted during fiscal  
year 1934.

fiscal year beginning July 1, 1933, and for each fiscal year thereafter, has been determined in accordance with the law to be, and shall be, as follows:

#### NATIONAL ORIGIN IMMIGRATION QUOTAS

<i>Country or Area</i>	<i>Quota</i>
Afghanistan	100
Albania	100
Andorra	100
Arabian peninsula (except Muscat, Aden Settlement and Protectorate, and Saudi Arabia)	100
Australia (including Tasmania, Papua, and all islands appertaining to Australia)	100
Austria	1,413
Belgium	1,304
Bhutan	100
Bulgaria	100
Cameroons (British mandate)	100
Cameroon (French mandate)	100
China	100
Czechoslovakia	2,874
Danzig, Free City of	100
Denmark	1,181
Egypt	100
Estonia	116
Ethiopia (Abyssinia)	100
Finland	569
France	3,086
Germany	25,957
Great Britain and Northern Ireland	65,721
Greece	307
Hungary	869
Iceland	100
India	100
Iraq (Mesopotamia)	100
Irish Free State	17,853
Italy	5,802
Japan	100
Latvia	236
Liberia	100
Liechtenstein	100
Lithuania	386
Luxemburg	100
Monaco	100
Morocco (French and Spanish zones and Tangier)	100
Muscat (Oman)	100
Mauritania (British mandate)	100
Nepal	100
Netherlands	3,153
New Guinea, Territory of (including appertaining islands) (Australian mandate)	100
New Zealand	100
Norway	2,377
Palestine (with Trans-Jordan) (British mandate)	100
Persia	100
Poland	6,524
Portugal	440
Ruanda and Urundi (Belgian mandate)	100
Rumania	377

<i>Country or Area</i>	<i>Quota</i>
Russia, European and Asiatic-----	2,712
Samoa, Western (mandate of New Zealand)-----	100
San Marino-----	100
Saudi Arabia (Hejaz and Nejd and its Dependencies)-----	100
Siam-----	100
South Africa, Union of-----	100
South-West Africa (mandate of the Union of South Africa)-----	100
Spain-----	252
Sweden-----	3,314
Switzerland-----	1,707
Syria and the Lebanon (French mandate)-----	123
Tanganyika Territory (British mandate)-----	100
Togoland (British mandate)-----	100
Togoland (French mandate)-----	100
Turkey-----	226
Yap and other Pacific islands under Japanese mandate-----	100
Yugoslavia-----	845

The immigration quotas assigned to the various countries and quota areas are designed solely for purposes of compliance with the pertinent provisions of the Immigration Act of 1924 and are not to be regarded as having any significance extraneous to this object.

This proclamation shall take effect July 1, 1933, and shall supersede Proclamation No. 1953 of June 19, 1931.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 16 day of June, in the year of our Lord nineteen hundred and thirty-three, and of the [SEAL] Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

No extraneous significance attached.

Effective date.  
Vol. 47, p. 20, superseded.

[No. 2048]

## DECREASING RATE OF DUTY ON COTTON VELVETEENS

June 24, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Tariff on cotton velveteens.  
 Preamble.  
 Statutory authorization.  
 Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of Title III, Part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes," the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, velveteens and velvets, including velveteen or velvet ribbons, cut or uncut, whether or not the pile covers the entire surface, wholly or in chief value of cotton, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing countries;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the commission has found it shown by said investigation that the principal competing country for velveteens, wholly or in chief value of cotton, is Germany, and that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing country, and has specified in its report the decreases in the rate of duty expressly fixed by statute found by the commission to be shown by said investigation to be necessary to equalize such differences; and

WHEREAS in the judgment of the President the decreased rates of duty on velveteens, wholly or in chief value of cotton, specified in said report are shown by such investigation of the Tariff Commission to be necessary to equalize such differences in costs of production;

Decreasing duties to equalize differences in costs of production.

Vol. 46, p. 642.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the following rates of duty found to be shown by said investigation to be necessary to equalize such differences in costs of production:

A decrease (within the limit of total decrease provided for in said act) in the rate of duty expressly fixed in paragraph 909 of Title I of said act on plain-back velveteens, cut or uncut, whether or not the pile covers the entire surface, wholly or in chief value of cotton, from 62- $\frac{1}{2}$  per centum ad valorem to 31- $\frac{1}{4}$  per centum ad valorem; and

A decrease in the rate of duty expressly fixed in paragraph 909 of Title I of said act on twill-back velveteens, cut or uncut, whether or not the pile covers the entire surface, wholly or in chief value of cotton, from 62½ per centum ad valorem to 44 per centum ad valorem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 24 day of June, in the year of our Lord nineteen hundred and thirty-three, and of the [SEAL] Independence of the United States of America the one hundred and fifty-seventh.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2049]

PINNACLES NATIONAL MONUMENT—CALIFORNIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 11, 1933.

A PROCLAMATION

WHEREAS it appears that the public interest would be promoted by adding to the Pinnacles National Monument, California, certain adjoining lands for the purpose of including within said monument additional lands on which there are located features of scientific interest and for administration purposes;

Pinnacles National  
Monument, Calif.  
Preamble.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power in me vested by section 2 of the act of Congress entitled "AN ACT For the preservation of American antiquities", approved June 8, 1906 (34 Stat. 225), do proclaim that, subject to all valid existing rights, the following-described lands in California be, and the same are hereby, added to and made a part of the Pinnacles National Monument:

Area enlarged.  
Vol. 34, p. 225.

MOUNT DIABLO MERIDIAN

Description.

- |   |  |
|---|--|
| T. 16 S., R. 7 E., sec. 25, W½;                         |  |
| sec. 26, NE¼;   |  |
| sec. 33, N½NW¼, SW¼NW¼, and NW½SW¼;                     |  |
| sec. 36, W½.  |  |
| T. 17 S., R. 7 E., sec. 1, lots 2, 3, NW½SW¼ and S½SW¼; |  |
| sec. 2, SE¼;  |  |
| sec. 11, E½;  |  |
| sec. 12, W½;  |  |
| sec. 13, W½;  |  |
| sec. 14, all;   |  |
| sec. 15, NE¼, E½NW¼, E½SW¼, and SE¼;                    |  |
| sec. 22, all;   |  |
| sec. 23, all;   |  |
| sec. 24, W½.  |  |

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Reserved from set-  
tlement, etc.

**Supervision.**  
Vol. 39, p. 535; Vol.  
41, p. 732.  
U.S.C., p. 389.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument, as provided in the act of Congress entitled "AN ACT To establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535-536), and acts additional thereto or amendatory thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11<sup>th</sup> day of July, in the year of our Lord nineteen hundred and thirty-three, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2050]

**EMERGENCY BOARD, LOUISIANA, ARKANSAS & TEXAS RAILWAY COMPANY—EMPLOYEES.**

July 26, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

**A PROCLAMATION**

**Labor disputes, Louisiana, Arkansas and Texas Railway Company and certain of its employees.**  
**Preamble.**

WHEREAS the President, having been duly notified by the Board of Mediation that disputes between the Louisiana, Arkansas & Texas Railway Company, a carrier, and certain of its employees represented by

Order of Railway Conductors;  
Brotherhood of Railroad Trainmen;  
Brotherhood of Locomotive Engineers;

Brotherhood of Locomotive Firemen and Enginemen;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, now threaten substantially to interrupt interstate commerce within the States of Louisiana and Texas, to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, do hereby create a board to be composed of three (3) persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within 30 days from this date.

**Emergency board created to investigate and report thereon.**  
Vol. 44, p. 586.

Compensation, etc.

The members of this board shall be compensated for and on account of such duties in the sum of Fifty (\$50.00) Dollars for every day actually employed with or upon account of travel and duties incident to such board, from which will be deducted fifteen per cent. (15%) as provided in Public No. 2, 73d Congress, Approved March 20, 1933.

The members will be reimbursed for and they are hereby authorized to make expenditures for expenses of themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a.m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

**Ante, p. 12.**  
**Reimbursement for expenses.**

Vol. 47, p. 405.

All expenditures of the board shall be allowed and paid for out of the appropriation "emergency Boards, Railway Labor Act, May 20, 1926, 1933 and 1934" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Funds available.  
*Ante*, p. 286.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 26th day of July in the year  
of our Lord nineteen hundred and thirty-three, and of the  
[SEAL] Independence of the United States of America the one  
hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President.

WILLIAM PHILLIPS  
*Acting Secretary of State.*

[No. 2051]

### EXEMPTION OF VIRGIN ISLANDS FROM COASTWISE LAWS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 10, 1933.

### A PROCLAMATION

WHEREAS an act of Congress entitled "Merchant Marine Act, 1920", approved June 5, 1920 (41 Stat. 988), contained the following provisions:

Virgin Islands.  
Preamble.

"Sec. 21. That from and after February 1, 1922, the coastwise laws of the United States shall extend to the island Territories and possessions of the United States not now covered thereby, and the board is directed prior to the expiration of such year to have established adequate steamship service at reasonable rates to accommodate the commerce and the passenger travel of said islands and to maintain and operate such service until it can be taken over and operated and maintained upon satisfactory terms by private capital and enterprise: *Provided*, That if adequate shipping service is not established by February 1, 1922, the President shall extend the period herein allowed for the establishment of such service in the case of any island Territory or possession for such time as may be necessary for the establishment of adequate shipping facilities therefor."

Statutory provision.  
Vol. 41, p. 997.

AND WHEREAS an adequate shipping service to accommodate the commerce and the passenger travel of the Virgin Islands had not been established as provided by section 21 of the Merchant Marine Act, 1920; and

Extending period.

WHEREAS the President of the United States, in accordance with the authority vested in him by section 21 of the Merchant Marine Act, 1920, has from time to time, to wit, on February 1, 1922, on May 18, 1922, on October 28, 1922, on October 25, 1923, on April 7, 1924, on October 23, 1924, on April 25, 1925, on November 24, 1925, on August 14, 1926, on August 9, 1927, on August 2, 1928, on July 26, 1929, on July 28, 1930, on August 19, 1931, and on August 18, 1932, issued proclamations extending the time for the establishment of such service and deferring the application of the coastwise laws to the Virgin Islands until September 30, 1933;

Vol. 42, pp. 2261,  
2269, 2287; Vol. 43, pp.  
1928, 1943, 1969; Vol.  
44, pp. 2575, 2592, 2620;  
Vol. 45, pp. 2920, 2960;  
Vol. 46, pp. 3002, 3032;  
Vol. 47, pp. 2466, 2528.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by section 21 of the above-mentioned act, do hereby declare and proclaim that the period for the establish-

Time for establishing  
shipping service to, fur-  
ther extended to Sep-  
tember 30, 1934.

ment of an adequate shipping service with the aforesaid Virgin Islands be further extended from September 30, 1933, to September 30, 1934.

*Application of coastwise laws deferred.  
Vol. 41, p. 997.*

And inasmuch as the extension of the coastwise laws of the United States to the Virgin Islands, as provided in section 21 of the Merchant Marine Act, 1920, is dependent upon the establishment of an adequate shipping service to such island possession, I do hereby further proclaim and declare that the extension of the coastwise laws of the United States to the Virgin Islands is deferred from September 30, 1933, to September 30, 1934.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10<sup>th</sup> day of August, in the year of our Lord nineteen hundred and thirty-three, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2052]

August 18, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

#### EXTENDING THE POWERS GRANTED TO THE COMPTROLLER OF THE CURRENCY BY THE JOINT RESOLUTION OF FEBRUARY 25, 1933, FOR A PERIOD OF SIX MONTHS

National banking associations.  
Preamble.  
Statutory provision.  
Vol. 47, p. 908.

WHEREAS, the Senate and House of Representatives of the United States passed a joint resolution which was duly approved February 25, 1933, authorizing the Comptroller of the Currency to exercise, with respect to National Banking Associations, any powers which state officials may have with respect to state banks, savings banks, and/or trust companies under state laws; and

WHEREAS, said resolution provides that the powers therein conferred shall terminate six months from the date of approval of the resolution by the President, but that the President may extend its force by Proclamation for an additional six months:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim that the force of said resolution be, and the same hereby is, extended for an additional period of six months from August 25, 1933.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the United States to be affixed.

Done in the District of Columbia, this 18th day of August in the Year of Our Lord One Thousand Nine Hundred and Thirty-[SEAL] three, and of the Independence of the United States the One Hundred and Fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
WILLIAM PHILLIPS  
*Acting Secretary of State.*

[No. 2053]

Designated authority  
of Comptroller of Cur-  
rency over, extended.

## CEDAR BREAKS NATIONAL MONUMENT—UTAH

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 22, 1933.

## A PROCLAMATION

WHEREAS it appears desirable, in the public interest, to exclude certain lands from the Dixie National Forest, Utah, and include said lands within a national monument for the preservation of the spectacular cliffs, canyons, and features of scenic, scientific, and educational interest contained therein:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power in me vested by section 2 of the act of Congress approved June 8, 1906 (34 Stat. 225), and the act of June 4, 1897 (30 Stat. 34), do proclaim and establish the Cedar Breaks National Monument and that, subject to all valid existing rights, the following-described lands in Utah be, and the same are hereby, excluded from the Dixie National Forest and included within the said national monument:

Cedar Breaks National Monument,  
Utah.  
Preamble.

Establishment of  
from excluded lands of  
Dixie National Forest.  
Vol. 34, p. 225; Vol.  
30, p. 34.

## SALT LAKE MERIDIAN

## Description.

T. 36 S., R. 9 W., sec. 15, S $\frac{1}{4}$ SE $\frac{1}{4}$ ;	
sec. 22, E $\frac{1}{2}$ , S $\frac{1}{2}$ lot 3, S $\frac{1}{2}$ lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;	
sec. 23, all;	
sec. 24, W $\frac{1}{2}$ E $\frac{1}{2}$ , and W $\frac{1}{2}$ ;	
sec. 25, W $\frac{1}{2}$ E $\frac{1}{2}$ , and W $\frac{1}{2}$ ;	
sec. 26, all;	
sec. 27, E $\frac{1}{2}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;	
sec. 34, E $\frac{1}{2}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;	
sec. 35, all;	
sec. 36, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and lots 1 to 7 inclusive.	
T. 37 S., R. 9 W., sec. 1, lot 4;	
sec. 2, all (unsurveyed);	
sec. 3, lots 1, 2, and 3;	
sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;	
sec. 11, N $\frac{1}{2}$ (unsurveyed), and N $\frac{1}{2}$ S $\frac{1}{2}$ ;	
sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$ .	

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Reserved from settlement, etc.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "AN ACT To establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), and acts additional thereto or amendatory thereof.

Supervision.  
Vol. 39, p. 535.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22<sup>d</sup> day of August, in the year of our Lord nineteen hundred and thirty-three, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

WILBUR J. CARR

Acting Secretary of State.

[No. 2054]

## COLONIAL NATIONAL MONUMENT—VIRGINIA

August 22, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

**Colonial National  
Monument, Va.  
Preamble.  
Vol. 46, pp. 855, 3041.**

WHEREAS, pursuant to the authority of the act of July 3, 1930 (46 Stat. 855), entitled "AN ACT To provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes", the President of the United States by Proclamation No. 1929, dated December 30, 1930, established the boundaries of the Colonial National Monument, in the State of Virginia, comprising Jamestown Island, parts of the city of Williamsburg, the Yorktown battlefield, and areas for highways to connect said island, city, and battlefield; and

WHEREAS it is provided in section 2 of said act of July 3, 1930, that the boundaries so established may be enlarged or diminished by subsequent proclamation or proclamations of the President upon the recommendation of the Secretary of the Interior; and

**Parkway changes.**

WHEREAS, after further study of the boundaries of the said national monument as now established, the Secretary of the Interior has recommended that the parkway area of the monument between the city of Williamsburg and Jamestown Island be changed to a location running north and west of the city of Williamsburg to Jamestown Island instead of east and south of said city of Williamsburg as now provided:

**Boundaries modified.  
Vol. 46, p. 1490.**

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, pursuant to the authority in me vested by the act of July 3, 1930, as amended March 3, 1931, do proclaim that the boundaries of the Colonial National Monument are hereby enlarged, diminished, and revised in accordance with the diagram attached hereto.

DONE at the City of Washington this 22<sup>d</sup> day of August, in the year of our Lord nineteen hundred and thirty-three, and [SEAL] of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILBUR J. CARR

*Acting Secretary of State.*

[No. 2055]

## NATIONAL FIRE PREVENTION WEEK—1933

August 28, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

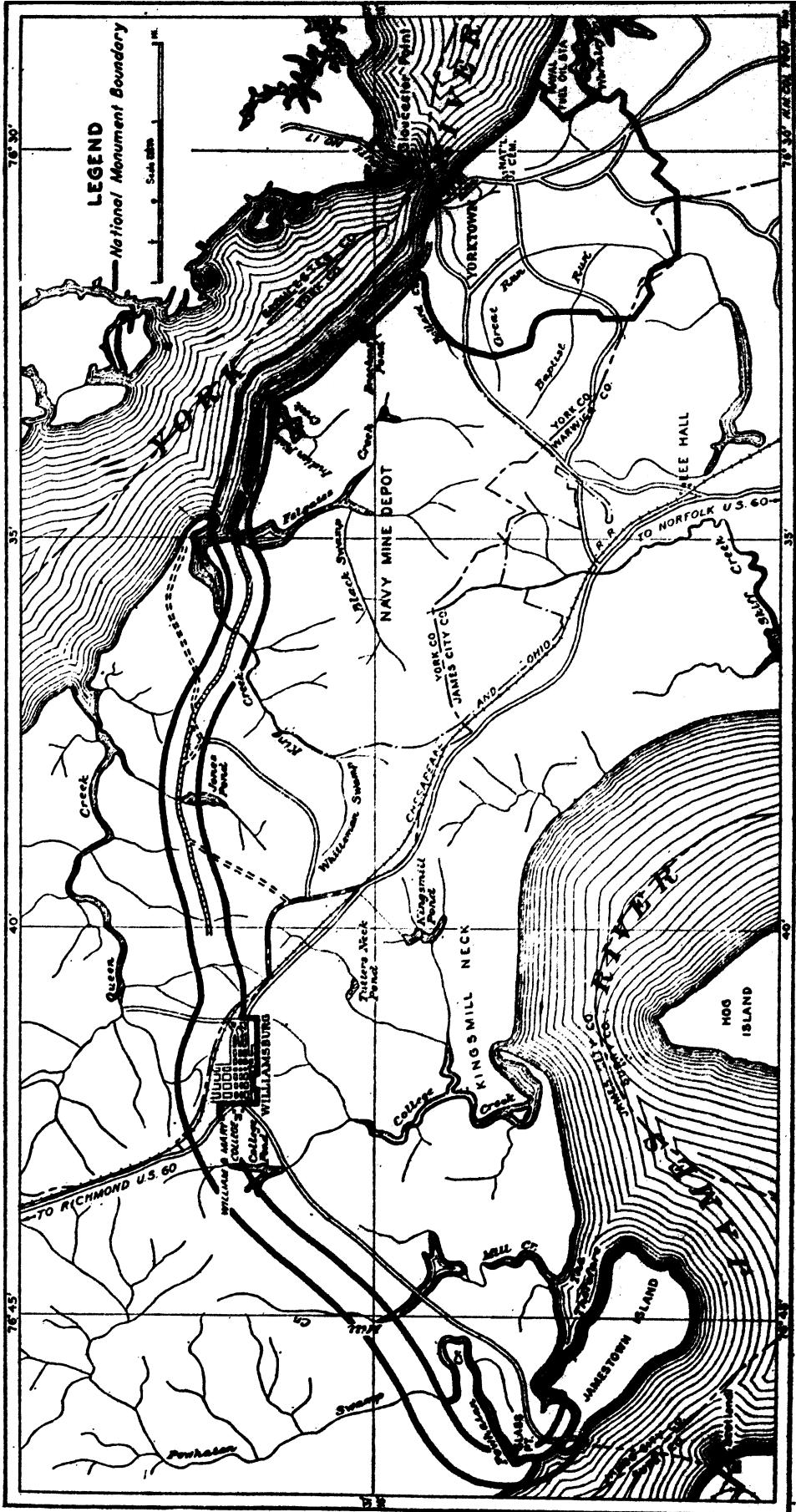
**National Fire Pre-  
vention Week, 1933.  
Preamble.**

It has been a commendable custom for the President of the United States to request the annual observance of Fire Prevention Week throughout the country. It is a week set aside for the purpose of informing the public of the dangers of fire to life and property. Fires which are largely preventable take a cruel toll of many lives and destroy property exceeding \$400,000,000 in value each year. Of late, progress has been made in reducing the Nation's fire loss, and this fact should encourage continuous vigilance and alertness so necessary to decrease the hazards of fire.

DEPARTMENT OF THE INTERIOR.  
HAROLD L. ICKES, SECRETARY

VIRGINIA  
JAMES CITY, WARWICK, YORK AND GLOUCESTER COUNTIES.

NATIONAL PARK SERVICE.  
ARNO B. CAMMERER, DIRECTOR



COLONIAL NATIONAL MONUMENT



NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim the week beginning October 8, 1933, to be observed as Fire Prevention Week. To prevent our enormous waste by fire, the cooperation of all citizens is requested, and the organizations, groups, and individuals interested in fire prevention are asked to take the leadership in instructing the public in the simple precautionary measures advocated as fire-prevention safeguards.

Week beginning October 8, 1933, designated as.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28 day of August, in the year of our Lord nineteen hundred and thirty-three, and [SEAL] of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2056]

#### AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 11, 1933.

#### A PROCLAMATION

WHEREAS the Secretary of Agriculture, by virtue of the authority vested in him by section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U.S.C., title 16, secs. 703-711), has submitted to me for approval regulations further amendatory of the regulations approved and proclaimed July 31, 1918, which the Secretary of Agriculture has determined to be suitable amendatory regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of migratory birds and parts thereof and their nests and eggs, as follows:

Protection of migratory birds.  
Preamble.  
Vol. 40, p. 755;  
U.S.C., pp. 436-437.  
Vol. 39, p. 1702.

Regulation 3, "Means by Which Migratory Game Birds May Be Taken", is amended to read as follows:

Vol. 45, pp. 2301,  
2942; Vol. 46, p. 2039;  
Vol. 47, pp. 2440, 2520.

#### REGULATION 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Means of taking.

The migratory game birds specified in regulation 4 hereof may be taken during the open season with a gun only, not larger than no. 10 gauge, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 hereof; they may be taken during the open season from the land and water, with the aid of a dog, the use of decoys, and from a blind or floating device, except that in the taking of wild ducks not more than twenty-five (25) live duck decoys may be shot over, and in the taking of wild geese in California the use of live goose decoys is not permitted; but nothing herein shall be deemed to permit the use of an automobile, airplane, power boat, sailboat, any boat under sail, any floating device towed by power boat or sailboat, or any sinkbox (battery), except that sinkboxes (batteries) may be used in the taking of migratory waterfowl in coastal sounds and bays (including Back Bay, Princess Anne County, State of Virginia) and other coastal waters; and nothing herein shall be deemed to permit the

Regulations modified.

Wild ducks.

Wild geese in California.

**Use of bait, etc.**

**Vol. 47, pp. 2442,  
2477, 2482.**

use of an airplane, or a power boat, sailboat, or other floating device for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl; and mourning doves shall not be taken at, on, over, or within 100 yards of any place, area, or environment whatever whereat or whereon has been placed, scattered, or distributed any corn, wheat, or other grain, salt, or other food designed, intended, or effective to bait, lure, attract, or entice such doves.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

**Open seasons.****REGULATION 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS****Time construed.**

For the purpose of this regulation, each period of time herein prescribed as an open season shall be construed to include the first and last days thereof.

**Regulations extend-  
ed.**

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), rails, coot, gallinules, woodcock, Wilson's snipe or jacksnipe, mourning doves, and band-tailed pigeons may be taken each day from half an hour before sunrise to sunset during the open seasons prescribed therefor in this regulation, except that the hour for the commencement of hunting waterfowl, rails, gallinules, coot, and Wilson's snipe on the opening day of the season shall be 12 o'clock noon; and they may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Territory, or District during the period constituting the open season where killed and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State, Territory, or District at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any refuge established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222-1226), nor on any area of the United States set aside by any other law, proclamation, or Executive order for use as a wild-life refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

**Hunting on refuges  
forbidden.**

**Vol. 45, p. 1222.  
U.S.C., Supp. VI, p.  
230.**

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot shall be as follows:

In Maine, New Hampshire, Vermont, Ohio, Michigan, Minnesota, Iowa, Nebraska, South Dakota, Montana, Wyoming, Colorado, Nevada, and that portion of Arizona comprising the counties of Mohave, Yavapai, Coconino, Navajo, and Apache, October 1 to November 30;

In Massachusetts, Rhode Island, Connecticut, New York (except Long Island), Pennsylvania, West Virginia, Illinois, Missouri, Kansas, Oklahoma, Utah, Washington, Oregon, Idaho (except in the counties of Benewah, Bonner, Boundary, Kootenai, and Shoshone), and that portion of New Mexico lying north and west of a line beginning at the eastern boundary of the State where the Southern Pacific Railroad

crosses the State line, four miles northeast of Nara Visa, New Mexico; thence following the center of the main Southern Pacific Railroad track through the towns of Tucumcari, Santa Rosa, Vaughn, Corona, and Carrizozo, to the town of Tularosa, New Mexico, where said track is crossed by State Highway No. 52; thence west following said Highway No. 52 to Elephant Butte Dam, thence following a line running west through the towns of Hot Springs and Hermosa to the northeast corner of Grant County, thence continuing due west along the north line of Grant County to the State boundary line, October 16 to December 15;

In Wisconsin, North Dakota, and that portion of Idaho comprising the counties of Benewah, Bonner, Boundary, Kootenai, and Shoshone, September 21 to November 20;

In that portion of New York known as Long Island, and in Delaware, Indiana, Kentucky, California, and that portion of Texas lying west and north of a line beginning on the Rio Grande directly west of the town of Del Rio, Texas; thence east to the town of Del Rio; thence easterly following the center of the main track of the Southern Pacific Railroad through the towns of Spofford, Uvalde, and Hondo; thence to the point where the Southern Pacific Railroad crosses the International & Great Northern Railroad at or near San Antonio; thence following the center of the track of said International & Great Northern Railroad in an easterly direction, to the point in the city of Austin where it joins Congress Avenue, near the International & Great Northern Railroad depot; thence across Congress Avenue to the center of the main track of the Houston & Texas Central Railroad where said track joins said Congress Avenue, at or near the Houston & Texas Central Railroad depot; thence following the center line of the track of said Houston & Texas Central Railroad in an easterly direction through the towns of Elgin, Giddings, and Brenham, to the point where said railroad crosses the Brazos River; thence with the center of said Brazos River in a general northerly direction to the point on said river where the Beaumont branch of the Gulf, Colorado & Santa Fe Railway crosses the same; thence with the center of the track of the said Gulf, Colorado & Santa Fe Railway in an easterly direction through the towns of Navasota, Montgomery, and Conroe, to the point at or near Cleveland where said Gulf, Colorado & Santa Fe Railroad crosses the Houston East & West Texas Railroad; thence with the center of said Houston East & West Texas Railroad track to the point in said line where it strikes the Louisiana line, November 1 to December 31;

In New Jersey, Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Mississippi, Arkansas, Louisiana, and Arizona (except in the counties of Apache, Coconino, Mohave, Navajo, and Yavapai), and in those portions of Texas and New Mexico lying south and east of the lines above described, November 16 to January 15;

In Florida, November 20 to January 15; and

In Alaska, September 1 to October 31.

*Rails and gallinules (except coot).*—The open season for sora and other rails and gallinules (except coot) shall be from September 1 to November 30, except as follows:

In Massachusetts, October 1 to December 15;

In Washington, October 1 to November 30;

In New York (except Long Island), October 16 to December 15;

In that portion of New York known as Long Island, November 1 to December 31;

In Wisconsin, September 21 to November 20;

Rails and gallinules

**Woodcock.**

In Louisiana, November 1 to January 31; and  
In the District of Columbia, no open season.

*Woodcock.*—The open seasons for woodcock shall be as follows:

In that portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany and north of the tracks of the main line of the Boston & Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, and North Dakota, October 1 to October 31;

In Wisconsin, September 23 to October 22;

In that portion of New York lying south of the line above described including Long Island and in New Jersey, Pennsylvania, Ohio, Indiana, Michigan, and Iowa, October 15 to November 14;

In Massachusetts, Rhode Island, and Connecticut, October 20 to November 19;

In Missouri, November 10 to December 10;

In Delaware, Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15; and

In North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

**Doves.**

*Doves.*—The open seasons for mourning doves shall be as follows:

In Delaware, Maryland, Virginia, Tennessee, Kentucky, Illinois, Minnesota, Nebraska, Kansas, Missouri, Arkansas, Oklahoma, New Mexico, Utah, Arizona, California, Nevada, Idaho, and Oregon, September 1 to December 15;

In that portion of Texas lying west and north of a line beginning on the Rio Grande directly west of the town of Del Rio, Texas; thence east to the town of Del Rio; thence easterly following the center of the main track of the Southern Pacific Railroad through the towns of Spofford, Uvalde, and Hondo; thence to the point where the Southern Pacific Railroad crosses the International & Great Northern Railroad at or near San Antonio; thence following the center of the track of said International & Great Northern Railroad in an easterly direction, to the point in the city of Austin where it joins Congress Avenue, near the International & Great Northern Railroad depot; thence across Congress Avenue to the center of the main track of the Houston & Texas Central Railroad where said track joins said Congress Avenue, at or near the Houston & Texas Central Railroad depot; thence following the center line of the track of said Houston & Texas Central Railroad in an easterly direction through the towns of Elgin, Giddings, and Brenham, to the point where said railroad crosses the Brazos River; thence with the center of said Brazos River in a general northerly direction to the point on said river where the Beaumont branch of the Gulf, Colorado & Santa Fe Railway crosses the same; thence with the center of the track of the said Gulf, Colorado & Santa Fe Railway in an easterly direction through the towns of Navasota, Montgomery, and Conroe, to the point at or near Cleveland where said Gulf, Colorado & Santa Fe Railway crosses the Houston East & West Texas Railway; thence with the center of said Houston East & West Texas Railway track to the point in said line where it strikes the Louisiana line, September 1 to October 31;

In that portion of Texas lying south and east of the aforesaid line, October 1 to November 30;

In North Carolina, South Carolina, Georgia, Alabama (except in Mobile, Baldwin, and Washington Counties), Mississippi, and Louisiana, September 1 to September 30 and November 20 to January 31;

In that portion of Alabama comprising Mobile, Baldwin, and Washington Counties and in that portion of Florida comprising all counties west of the Ochlockonee River, November 1 to January 31;

In Florida (except in Dade, Monroe, and Broward Counties and all counties west of the Ochlockonee River), November 20 to January 31; and

In that portion of Florida comprising Dade, Monroe, and Broward Counties, September 16 to November 15.

*Band-tailed pigeons.*—The open seasons for band-tailed pigeons shall be as follows:

Band-tailed pigeons.

In California and Arizona, December 1 to December 15;

In New Mexico, November 1 to November 15; and

In Washington and Oregon, October 16 to October 30.

Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

Vol. 47, pp. 2441,  
2522, amended.

#### REGULATION 5.—DAILY BAG AND POSSESSION LIMITS ON CERTAIN MIGRATORY GAME BIRDS

Bag and possession limits.

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking migratory birds; and in the case of ducks, geese, brant, woodcock, and band-tailed pigeons, when so taken these may be possessed in the numbers specified as follows:

*Ducks (except wood duck, ruddy duck, and bufflehead duck).*—Twelve in the aggregate of all kinds, but not more than 5 eider ducks, and not more than 8 of any one, or 8 in the aggregate, of the following species—canvasback, redhead, greater scaup, lesser scaup, ringneck, blue-wing teal, green-wing teal, cinnamon teal, shoveler, and gadwall—may be taken in any one day; and any person at any one time may possess not more than 24 ducks in the aggregate of all kinds, but not more than 10 eider ducks and not more than 16 of any one, or 16 in the aggregate, of the following species—canvasback, redhead, greater scaup, lesser scaup, ringneck, blue-wing teal, green-wing teal, cinnamon teal, shoveler, and gadwall.

Ducks.

*Geese and brant (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose).*—Four in the aggregate of all kinds, and any person at any one time may possess not more than 8 geese and brant in the aggregate of all kinds.

Geese and brant.

*Rails and gallinules (except sora and coot).*—Twenty-five in the aggregate of all kinds, but not more than 15 of any one species.

Rails, etc.

*Sora.*—Twenty-five.

*Coot.*—Twenty-five.

*Wilson's snipe or jacksnipe.*—Twenty.

*Woodcock.*—Four, and any person at any one time may possess not more than 12.

*Doves (mourning).*—Eighteen.

*Band-tailed pigeons.*—Ten, and any person at any one time may possess not more than 10.

Importations.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, woodcock, and band-tailed pigeons taken in Canada and other foreign countries and brought into the United States as to those taken in the United States.

Regulation 6, "Shipment, Transportation, and Possession of Certain Migratory Game Birds", is amended to read as follows:

Vol. 47, pp. 2442,  
2522, amended.

*Shipment, transportation, and possession.* REGULATION 6.—SHIPMENT, TRANSPORTATION, AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Additional restrictions.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, bufflehead duck, and swans), rails, coot, gallinules, woodcock, Wilson's snipe or jacksnipe, mourning doves, and band-tailed pigeons and parts thereof legally taken may be transported in any manner in or out of the State where taken during the respective open seasons in that State and when legally taken in and exported from Canada may be imported into the United States during the open season in the Province where taken; but not more than the number thereof that may be taken in 2 days, or 1 day in the case of band-tailed pigeons, or 3 days in the case of woodcock, by one person under these regulations shall be transported by one person in one calendar week out of the State where taken or from Canada into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where killed, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State, Territory, or District to or through another State, Territory, or District or to or through a Province of the Dominion of Canada contrary to the laws of the State, Territory, or District in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State, Territory, or District from another State, Territory, or District, or Province of the Dominion of Canada, or from any State, Territory, or District into any Province of the Dominion of Canada, at a time when any such State, Territory, or District, or Province of the Dominion of Canada into which they are transported prohibits the possession or transportation thereof.

*Migratory game birds.*

*Migratory game birds imported from countries other than Canada.*—Migratory game birds of a species for which an open season is prescribed by regulation 4, lawfully taken in and exported from a foreign country (other than Canada, for which provision is hereinbefore made), may be transported to and possessed in any State of the United States during the open season prescribed by regulation 4 in such State for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any one calendar week not exceeding those permitted to be taken in 2 days by regulation 5, or possessed at any one time, as the case may be, if transportation and possession of such birds is not prohibited by the laws of such State or District and if imported and transported in packages marked as hereinbefore provided.

Vol. 40, p. 1816.

*Migratory waterfowl. Permits to propagate, etc.*

Paragraph 1 of regulation 8, "Permits to Propagate and Sell Migratory Waterfowl", is amended to read as follows:

1. A person may take at any time migratory waterfowl and their eggs for propagating purposes when authorized by a permit issued by the Secretary. Waterfowl and their eggs so taken may be possessed by the permittee and may be sold and transported by him for propagating purposes to any person holding a permit issued by the Secretary in accordance with the provisions of this regulation.

The first paragraph of regulation 9, "Permits to Collect Migratory Birds for Scientific Purposes", is amended to read as follows:

A person may take at any time migratory birds and their nests and eggs for scientific purposes when authorized by a permit issued by the Secretary, which permit shall be carried on his person when he is collecting specimens thereunder and shall be exhibited to any person requesting to see the same; except that nothing herein shall be deemed to permit the taking of any migratory game bird on any day from sunset to one-half hour before sunrise or the taking of migratory game birds with a gun larger than 10 gauge or from an automobile, airplane, power boat, sailboat, or any boat under sail.

Vol. 47, p. 2443.

Permits for collecting specimens.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulations.

Approval of amendments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11<sup>th</sup> day of September, in the year of our Lord nineteen hundred and thirty-three, and  
[SEAL] of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2057]

## COPYRIGHT—PALESTINE (EXCLUDING TRANS-JORDAN)

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 29, 1933.

## A PROCLAMATION

WHEREAS it is provided by the act of Congress approved March 4, 1909 (ch. 320, 35 Stat. 1075-1088), entitled "AN ACT To amend and consolidate the Acts respecting copyright", that the copyright secured by the act, except the benefits under section 1(e) thereof as to which special conditions are imposed, shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation, only upon certain conditions set forth in section 8 of the act, to wit:

Copyrights.  
Preamble.  
Vol. 35, p. 1075.

Vol. 35, p. 1077.

"(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

"(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this Act or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto"; and

WHEREAS it is provided by section 1(e) that the provisions of the act "so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after this Act goes into effect, and shall not include the works of a foreign author or

composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights"; and

WHEREAS the President is authorized by section 8 to determine by proclamation made from time to time the existence of the reciprocal conditions aforesaid, as the purposes of the act may require; and

*Protection of, by  
Palestine (excluding  
Trans-Jordan).*

*Benefits extended to  
citizens of Palestine  
(excluding Trans-Jor-  
dan).  
Vol. 35, pp. 1075,  
1077.*

*Conditions.*

*Mechanical music re-  
productions.*

WHEREAS satisfactory official assurances have been received that on and after October 1, 1933, citizens of the United States will be entitled to obtain copyright for their works in Palestine (excluding Trans-Jordan) which is substantially equal to the protection afforded by the copyright laws of the United States, including rights similar to those provided by section 1(e);

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do declare and proclaim:

That on and after October 1, 1933, the conditions specified in section 8(b) and 1(e) of the act of March 4, 1909, will exist and be fulfilled in respect of the citizens of Palestine (excluding Trans-Jordan) and that on and after October 1, 1933, citizens of Palestine (excluding Trans-Jordan) shall be entitled to all the benefits of this act and acts amendatory thereof:

*Provided*, That the enjoyment by any work of the rights and benefits conferred by the act of March 4, 1909, and the acts amendatory thereof, shall be conditional upon compliance with the requirements and formalities prescribed with respect to such works by the copyright laws of the United States;

*And provided further*, That the provisions of section 1(e) of the act of March 4, 1909, insofar as they secure copyright controlling parts of instruments serving to reproduce mechanically musical works shall apply only to compositions published after July 1, 1909, and registered for copyright in the United States which have not been reproduced within the United States prior to October 1, 1933, on any contrivance by means of which the work may be mechanically performed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 29 day of September, in the year of our Lord nineteen hundred and thirty-three, [SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2058]

### ARMISTICE DAY—1933

October 11, 1933.

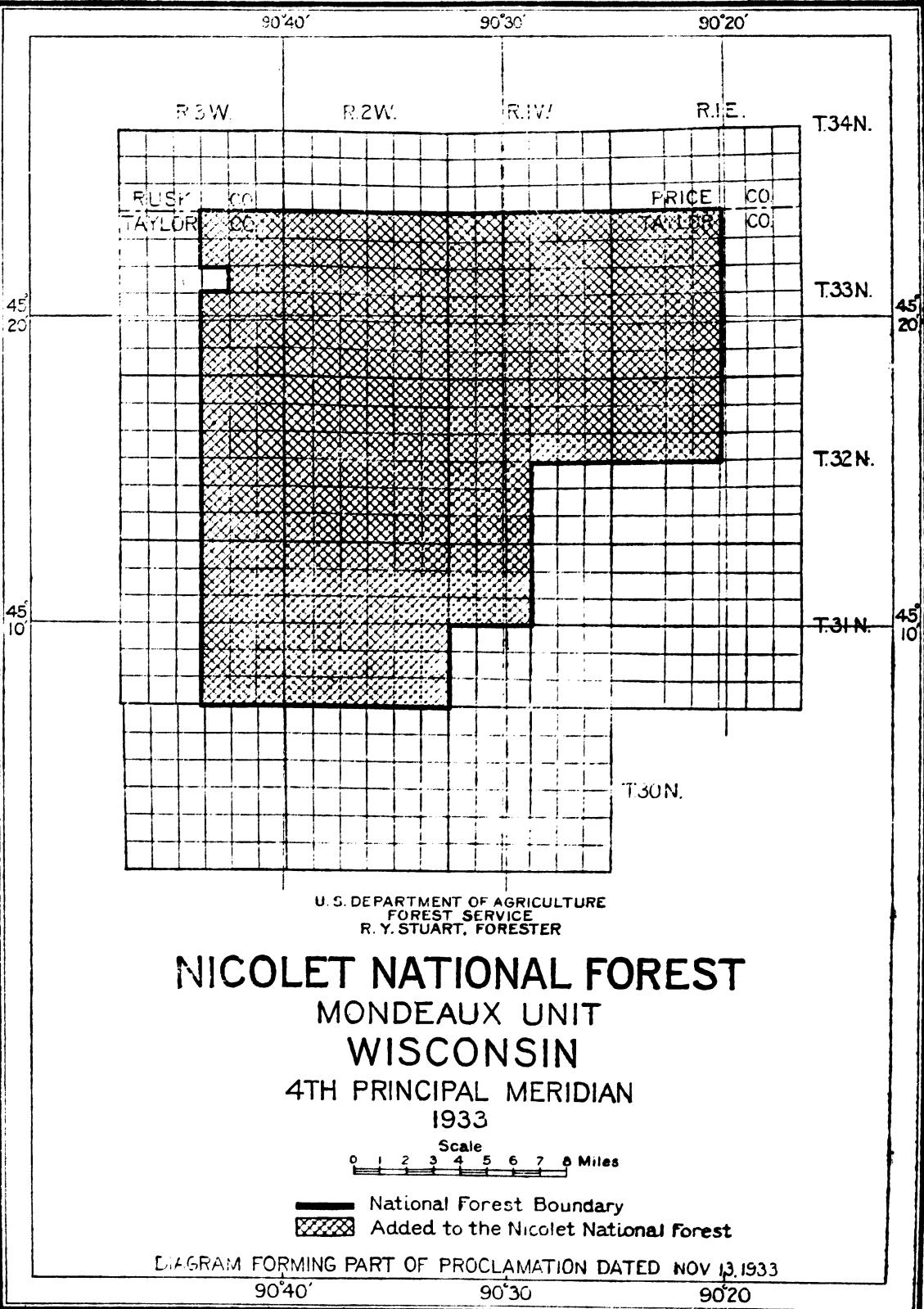
BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

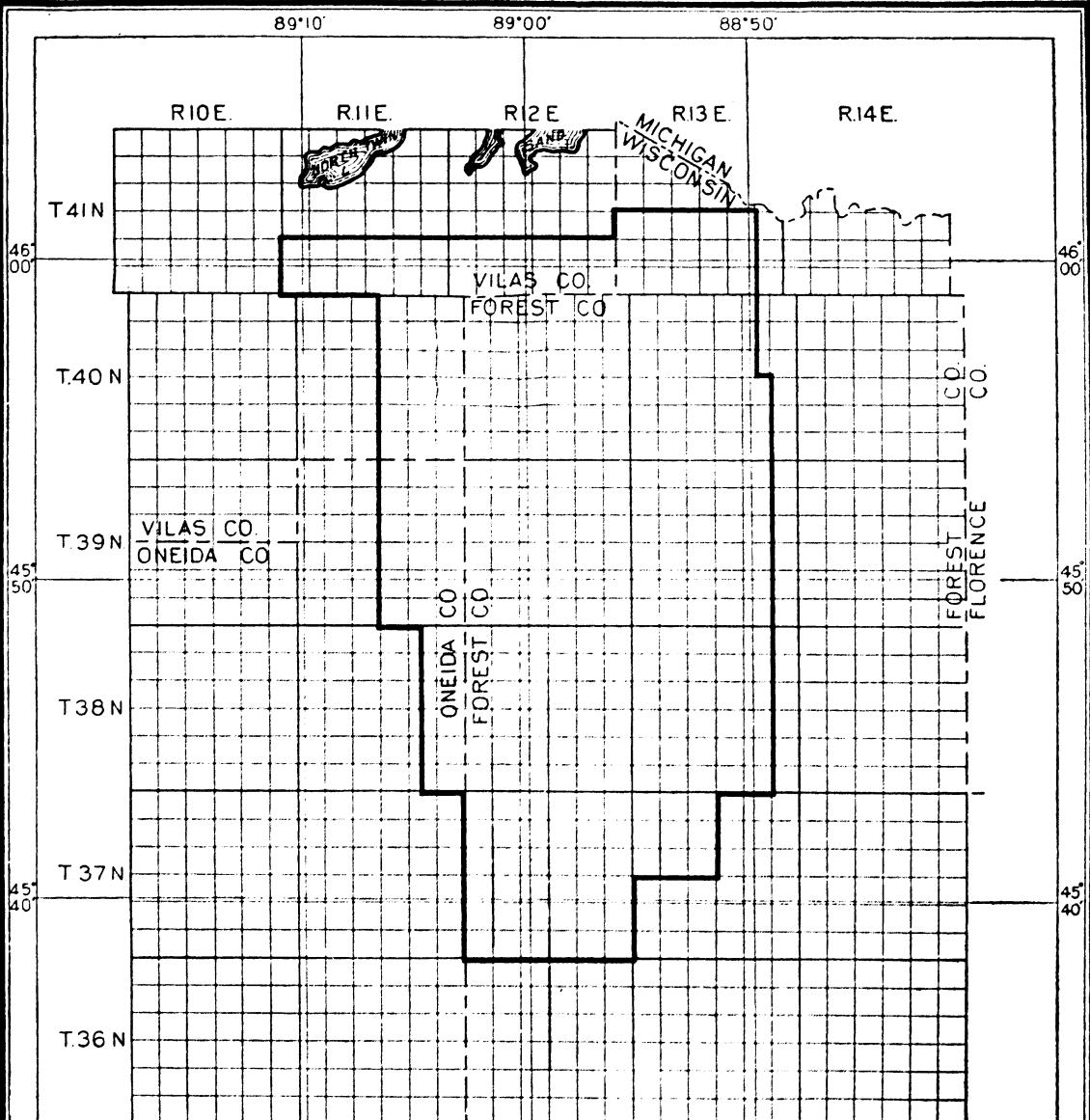
*Armistice Day, 1933.  
Preamble.*

WHEREAS the 11th of November 1918 marked the cessation of the most destructive, sanguinary, and far-reaching war in human annals; and

WHEREAS it is fitting that the recurring anniversary of this day should be commemorated by exercises designed to perpetuate peace through good will and mutual understanding between nations; and







U. S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
R. Y. STUART, FORESTER

**NICOLET NATIONAL FOREST  
ARGONNE UNIT  
WISCONSIN  
4TH PRINCIPAL MERIDIAN  
1933**

Scale  
0 1 2 3 4 5 6 7 8 Miles

— National Forest Boundary

DIAGRAM FORMING PART OF PROCLAMATION DATED NOV 13, 1933

89°10'

89°00'

88°50'



Vol. 44, p. 1982.

WHEREAS by concurrent resolution of the Senate and the House of Representatives, in 1926, the President was requested to issue a proclamation for the observance of Armistice Day:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in pursuance of the said resolution, do hereby order that the flag of the United States be displayed on all Government buildings on Saturday, November 11, 1933, and do invite the people of the United States to observe the day in schools and churches, or in other suitable places, with appropriate ceremonies expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11<sup>th</sup> day of October, in the year of our Lord nineteen hundred and thirty-three, and [SEAL] of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2059]

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NICOLET NATIONAL FOREST—WISCONSIN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 13, 1933.

A PROCLAMATION

WHEREAS by proclamation of March 2, 1933, there were set apart as the Nicolet National Forest in Wisconsin certain lands which had been or might thereafter be acquired by the United States of America under authority of the act of Congress approved March 1, 1911 (ch. 186, 36 Stat. 961, U.S.C., title 16, sec. 516), as amended June 7, 1924 (ch. 348, 43 Stat. 653, U.S.C., title 16, sec. 515), together with certain adjoining public lands; and

Nicolet National  
Forest, Wis.  
Preamble.  
Vol. 47, p. 2559.  
Vol. 36, p. 961; Vol.  
43, p. 664.  
U.S.C., p. 424.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been or may be acquired under authority of said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands, and by transferring the Flambeau and Moquah units heretofore forming part of the said national forest to the Chequamegon National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power in me vested by section 24 of the act of March 3, 1891 (ch. 561, 26 Stat. 1095, 1103, U.S.C., title 16, sec. 471), act of June 4, 1897 (ch. 2, 30 Stat. 34, U.S.C., title 16, sec. 473), and by section 11 of the act of March 1, 1911 (ch. 186, 36 Stat. 963, U.S.C., title 16, sec. 521), do proclaim that there are hereby reserved and made a part of the Nicolet National Forest all lands of the United States within the areas shown as additions on the diagrams attached hereto and made a part hereof, and that all lands therein which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall be reserved and administered as part of said national forest, and that the aforesaid Flambeau and Moquah units are hereby transferred to the Chequamegon National Forest, and that this proclamation

Area modified.  
Vol. 26, p. 1103; Vol.  
30, p. 36; Vol. 36, p. 963.  
U.S.C., pp. 418, 424.

Directing display of  
flag and inviting ob-  
servance of, on Novem-  
ber 11, 1933.

and that creating the Chequamegon National Forest, which I have signed this same day, are made, and are intended to be and shall be considered, as one act and they shall become effective simultaneously.

*Prior rights not affected.*

The withdrawal made by this proclamation shall, as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than forest classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13 day of November, in the year of our Lord nineteen hundred and thirty-three, [SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2060]

### CHEQUAMEGON NATIONAL FOREST—WISCONSIN

November 13, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Chequamegon Na-  
tional Forest, Wis.  
Preamble.  
Vol. 36, p. 961; Vol.  
43, p. 684.  
U.S.C., p. 424.

WHEREAS certain forest lands within the State of Wisconsin have been or may hereafter be acquired by the United States of America under authority of the act of Congress approved March 1, 1911 (ch. 186, 36 Stat. 961, U.S.C., title 16, sec. 516), as amended by act of June 7, 1924 (ch. 348, 43 Stat. 653, U.S.C., title 16, sec. 515); and

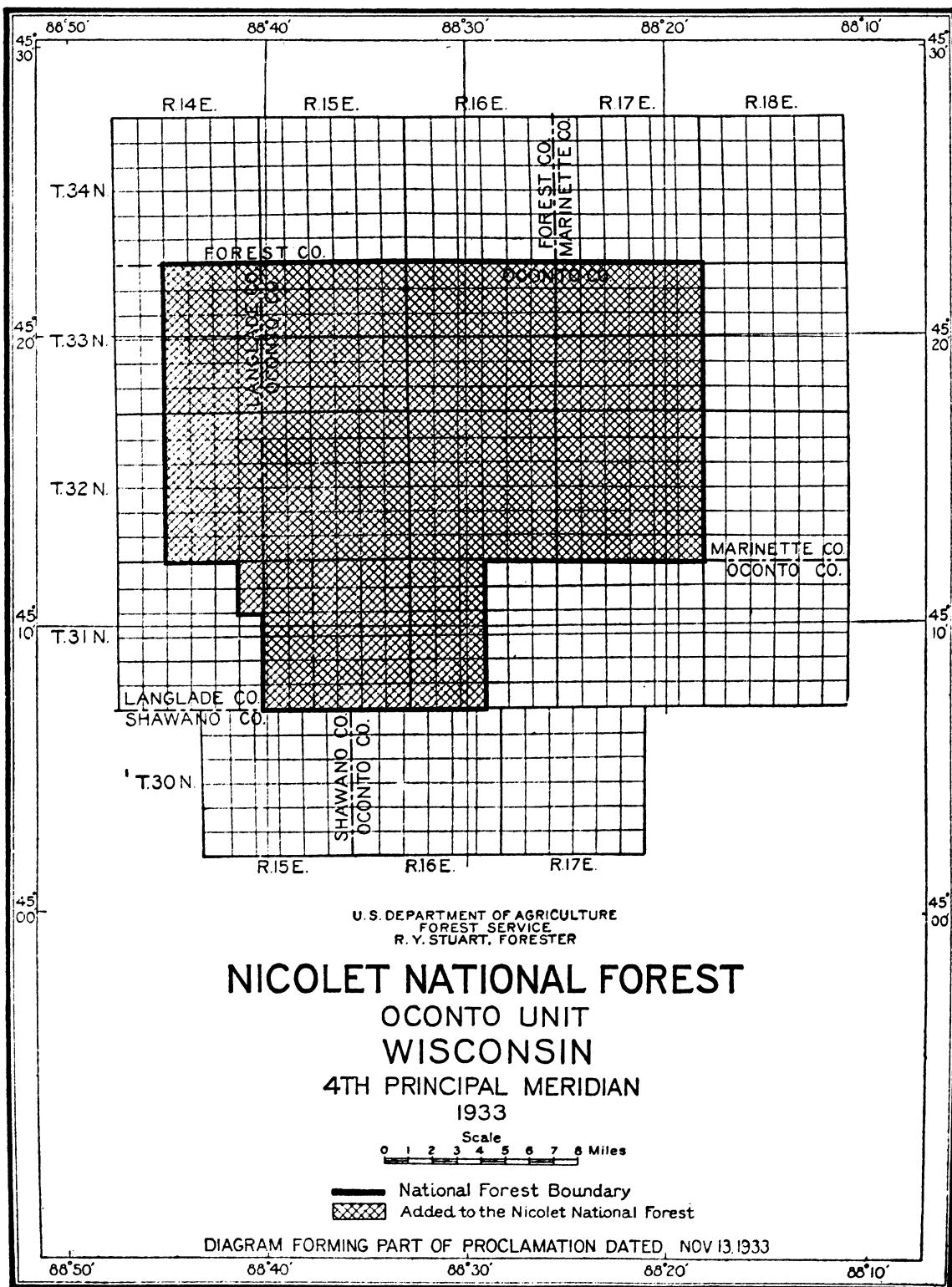
WHEREAS it appears that it would be in the public interest to set them apart with certain adjoining public lands and certain areas heretofore forming part of the Nicolet National Forest as the Chequamegon National Forest:

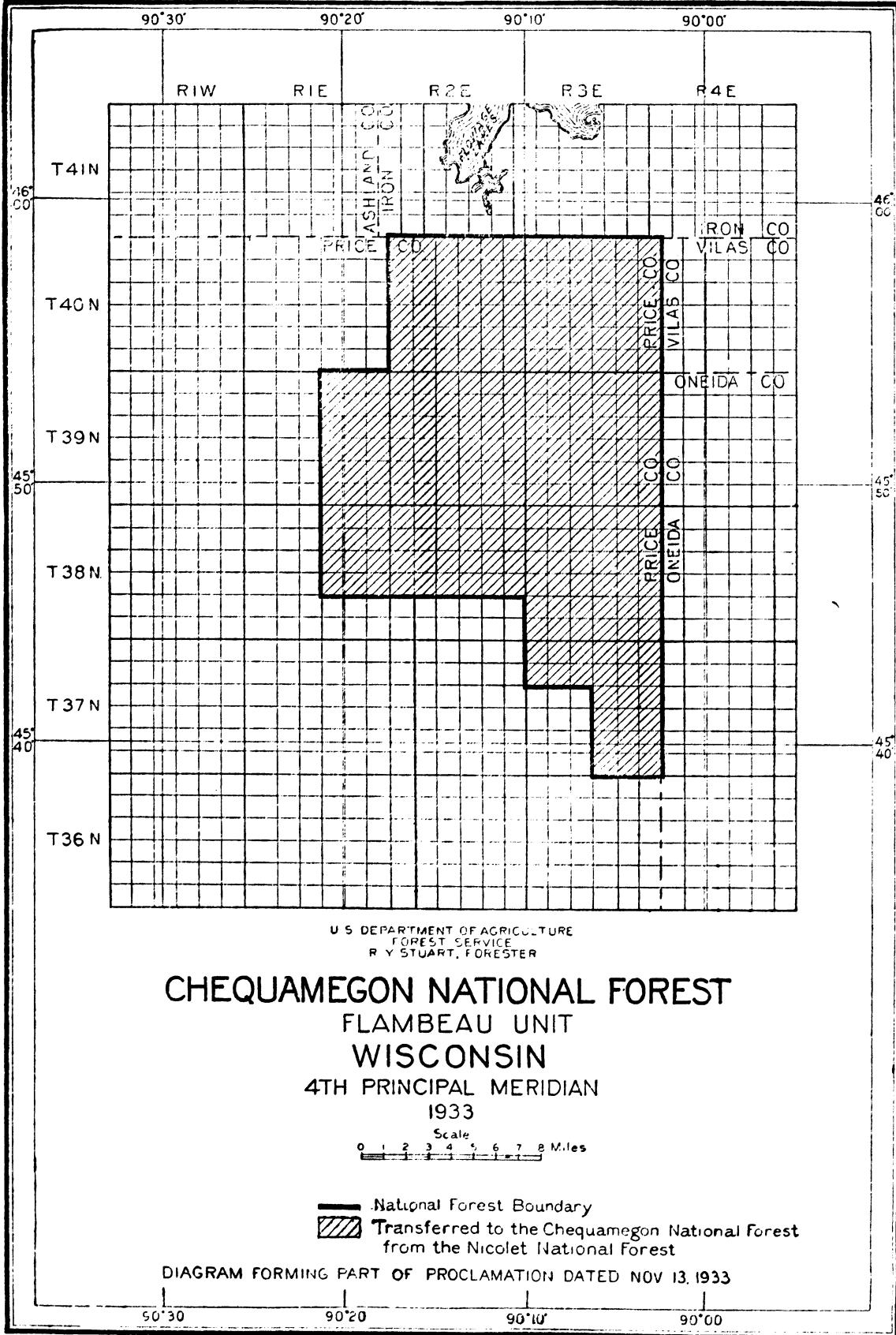
Reserving area for  
national forest.  
Vol. 26, p. 1103; Vol.  
30, p. 36; Vol. 36, p. 963.  
U.S.C., pp. 418, 425.

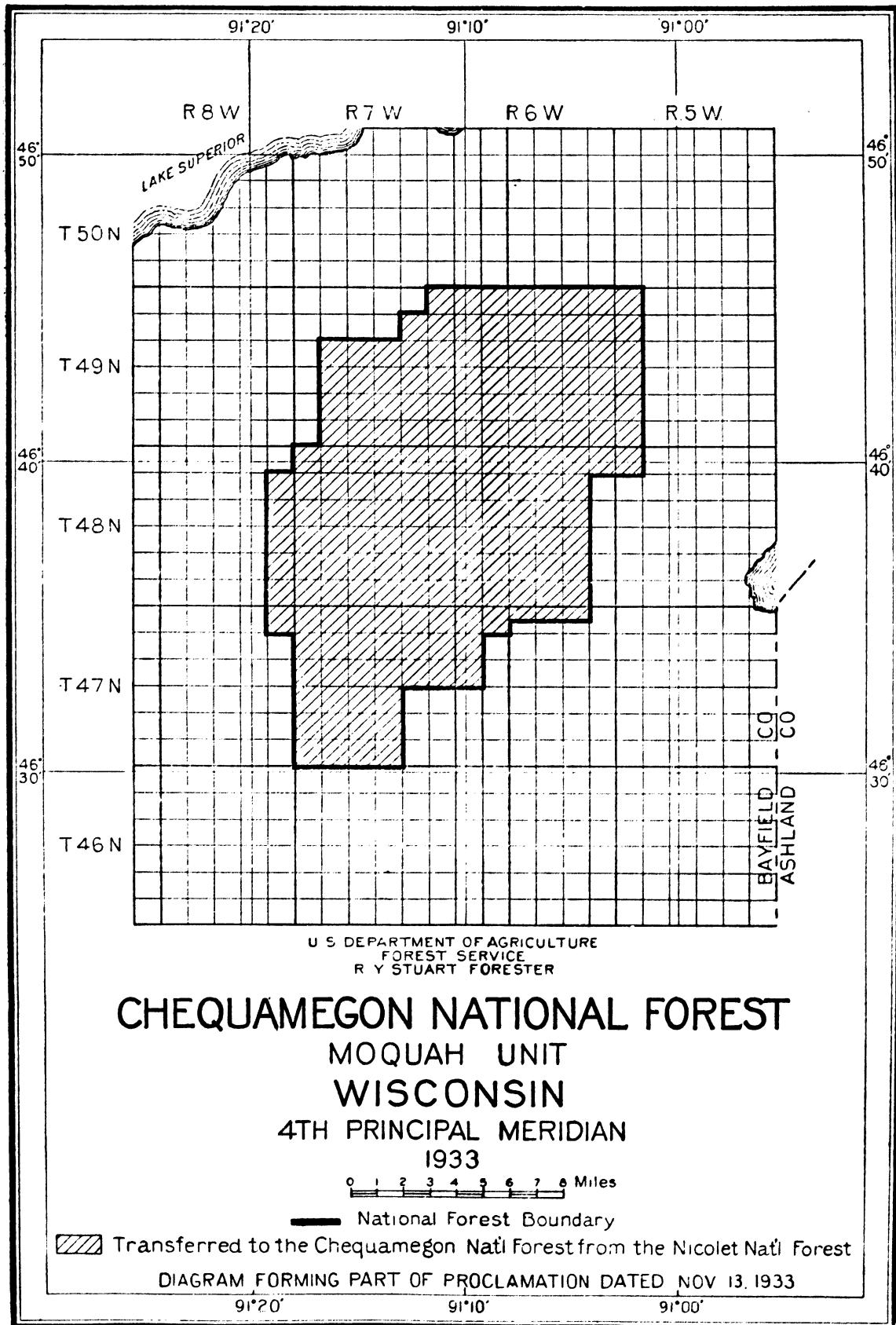
NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891 (ch. 561, 26 Stat. 1095, 1103, U.S.C., title 16, sec. 471), the act of June 4, 1897 (ch. 2, 30 Stat. 34, U.S.C., title 16, sec. 473), and by section 11 of the act of March 1, 1911 (ch. 186, 36 Stat. 963, U.S.C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Chequamegon National Forest all lands of the United States within the areas shown on the diagrams attached hereto and made a part hereof, and that all lands therein which may hereafter be acquired by the United States under authority of said acts of March 1, 1911, and June 7, 1924, shall be reserved and administered as part of said national forest.

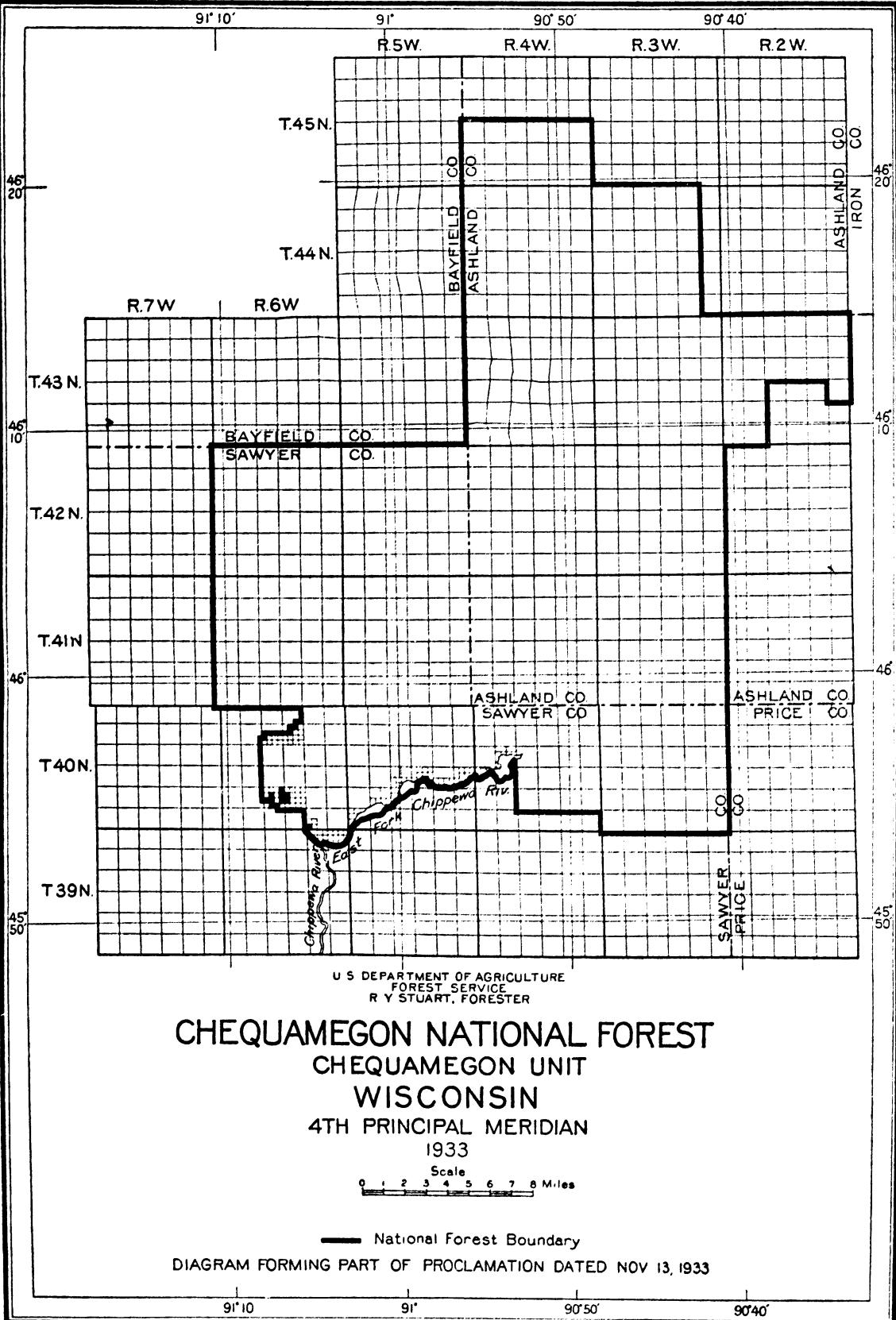
*Prior rights, etc., not affected.*

The withdrawal made by this proclamation shall, as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than forest classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.









IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13<sup>th</sup> day of November, in the year of our Lord nineteen hundred and thirty-three, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2061]

THANKSGIVING DAY—1933

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 21, 1933.

A PROCLAMATION

I, Franklin D. Roosevelt, President of the United States of America, do set aside and appoint Thursday, the thirtieth day of November 1933, to be a Day of Thanksgiving for all our people.

Thursday, November 30, 1933, set aside as Thanksgiving Day.

May we on that day in our churches and in our homes give humble thanks for the blessings bestowed upon us during the year past by Almighty God.

May we recall the courage of those who settled a wilderness, the vision of those who founded the nation, the steadfastness of those who in every succeeding generation have fought to keep pure the ideal of equality of opportunity and hold clear the goal of mutual help in time of prosperity as in time of adversity.

Recommendations.

May we ask guidance in more surely learning the ancient truth that greed and selfishness and striving for undue riches can never bring lasting happiness or good to the individual or to his neighbors.

May we be grateful for the passing of dark days; for the new spirit of dependence one on another; for the closer unity of all parts of our wide land; for the greater friendship between employers and those who toil; for a clearer knowledge by all nations that we seek no conquests and ask only honorable engagements by all peoples to respect the lands and rights of their neighbors; for the brighter day to which we can win through by seeking the help of God in a more unselfish striving for the common bettering of mankind.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States to be affixed.

DONE at the City of Washington this twenty-first day of November, in the year of our Lord Nineteen hundred and thirty-[SEAL] three, and of the Independence of the United States of America the One hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2062]

**EMERGENCY BOARD, SOUTHERN PACIFIC LINES, (IN TEXAS AND LOUISIANA), TEXAS & NEW ORLEANS RAILROAD COMPANY,—EMPLOYEES**

November 23, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

**Labor disputes,  
Southern Pacific Lines  
(in Texas and Louisiana), etc., and certain  
of its employees.**

WHEREAS the President, having been duly notified by the Board of Mediation that disputes between the Southern Pacific Lines (In Texas and Louisiana), Texas & New Orleans Railroad Company, a carrier, and certain of its employees represented by

Brotherhood of Locomotive Engineers;  
Brotherhood of Locomotive Firemen and Enginemen;  
Order of Railway Conductors;  
Brotherhood of Railroad Trainmen;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, now threaten substantially to interrupt interstate commerce within the States of Texas and Louisiana, to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, do hereby create a board to be composed of three (3) persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within 30 days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of Fifty (\$50.00) Dollars for every day actually employed with or upon account of travel and duties incident to such board, from which will be deducted fifteen per cent. (15%) as provided in Public No. 2, 73d Congress, Approved March 20, 1933. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a.m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

All expenditures of the board shall be allowed and paid for out of the appropriation "emergency Boards, Railway Labor Act, May 20, 1926, 1934" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 23<sup>rd</sup> day of November in the year of our Lord nineteen hundred and thirty-three, and [SEAL] of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President.

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2063]

**Emergency board  
created to investigate  
and report thereon.**

Vol. 44, p. 586.  
U.S.C., p. 2110.

Compensation, etc.

**Ante, p. 8.**

Vol. 47, p. 405.

**Board's expendi-  
tures.  
Ante, p. 286.**

EMERGENCY BOARD, MOBILE & OHIO RAILROAD COMPANY—  
EMPLOYEES.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 25, 1933.

## A PROCLAMATION

WHEREAS the President, having been duly notified by the Board of Mediation that disputes between the Mobile & Ohio Railroad Company, C. E. Ervin and T. M. Stevens, Receivers, a carrier, and certain of its employees represented by

Labor disputes, Mobile & Ohio Railroad Company and certain of its employees.

Brotherhood of Locomotive Engineers;  
 Order of Railway Conductors;  
 Brotherhood of Locomotive Firemen and Enginemen;  
 Brotherhood of Railroad Trainmen;  
 American Train Dispatchers' Association;  
 Railway Employees' Department, American Federation of Labor, Federated Shopcrafts;  
 International Association of Machinists;  
 International Brotherhood of Blacksmiths, Drop Forgers and Helpers;  
 Brotherhood of Railway Carmen of America;  
 International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America;  
 Sheet Metal Workers International Alliance;  
 International Brotherhood of Electrical Workers;

Brotherhood of Maintenance of Way Employees;  
 which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, now threaten substantially to interrupt interstate commerce within the States of Illinois, Kentucky, Tennessee, Mississippi and Alabama, to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, do hereby create a board to be composed of three (3) persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within 30 days from this date.

Emergency board created to investigate and report thereon.  
 Vol. 44, p. 586.  
 U.S.C., p. 2110.

The members of this board shall be compensated for and on account of such duties in the sum of Fifty (\$50.00) Dollars for every day actually employed with or upon account of travel and duties incident to such board, from which will be deducted fifteen per cent. (15%) as provided in Public No. 2, 73d Congress, Approved March 20, 1933. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses of themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a.m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Compensation, etc.  
*Ante*, p. 8.

All expenditures of the board shall be allowed and paid for out of the appropriation "emergency Boards, Railway Labor Act, May 20, 1926, 1934" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Vol. 47, p. 405.

Board's expenditures.  
*Ante*, p. 286.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 25th day of November in the year of our Lord nineteen hundred and thirty-three, and [SEAL] of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President.

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2064]

DATE OF REPEAL OF THE EIGHTEENTH AMENDMENT

December 5, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Eighteenth Amendment to the Constitution, repeal.  
Preamble.  
Statutory citation.  
Vol. 47, p. 1625.

WHEREAS the Congress of the United States in second session of the Seventy-second Congress, begun at Washington on the fifth day of December in the year one thousand nine hundred and thirty-two, adopted a resolution in the words and figures following, to wit:

“JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

“*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein),* That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

“‘Article—

“‘Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

“‘Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

“‘Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

National Industrial Recovery Act.  
*Ante*, p. 208.

WHEREAS section 217 (a) of the act of Congress entitled “AN ACT To encourage national industrial recovery, to foster competition, and to provide for the construction of certain useful public works, and for other purposes”, approved June 16, 1933, provides as follows:

“Sec. 217. (a) The President shall proclaim the date of—

(1) the close of the first fiscal year ending June 30 of any year after the year 1933, during which the total receipts of the United States (excluding public-debt receipts) exceed its total expenditures (excluding public-debt expenditures other than those chargeable against such receipts), or

(2) the repeal of the eighteenth amendment to the Constitution, whichever is the earlier.”

WHEREAS it appears from a certificate issued December 5, 1933, by the Acting Secretary of State that official notices have been received in the Department of State that on the fifth day of December 1933 conventions in 36 States of the United States, constituting three fourths of the whole number of the States had ratified the said repeal amendment;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, pursuant to the provisions of section 217 (a) of the said act of June 16, 1933, do hereby proclaim that the eighteenth amendment to the Constitution of the United States was repealed on the fifth day of December 1933.

December 5, 1933,  
proclaimed repeal date.

FURTHERMORE, I enjoin upon all citizens of the United States and upon others resident within the jurisdiction thereof to cooperate with the Government in its endeavor to restore greater respect for law and order, by confining such purchases of alcoholic beverages as they may make solely to those dealers or agencies which have been duly licensed by State or Federal license.

Cooperation for  
greater respect for law  
and order enjoined.

Observance of this request, which I make personally to every individual and every family in our Nation, will result in the consumption of alcoholic beverages which have passed Federal inspection, in the break-up and eventual destruction of the notoriously evil illicit liquor traffic, and in the payment of reasonable taxes for the support of Government and thereby in the superseding of other forms of taxation.

I call specific attention to the authority given by the twenty-first amendment to the Government to prohibit transportation or importation of intoxicating liquors into any State in violation of the laws of such State.

I ask the whole-hearted cooperation of all our citizens to the end that this return of individual freedom shall not be accompanied by the repugnant conditions that obtained prior to the adoption of the eighteenth amendment and those that have existed since its adoption. Failure to do this honestly and courageously will be a living reproach to us all.

I ask especially that no State shall by law or otherwise authorize the return of the saloon either in its old form or in some modern guise.

The policy of the Government will be to see to it that the social and political evils that have existed in the pre-prohibition era shall not be revived nor permitted again to exist. We must remove forever from our midst the menace of the bootlegger and such others as would profit at the expense of good government, law, and order.

I trust in the good sense of the American people that they will not bring upon themselves the curse of excessive use of intoxicating liquors, to the detriment of health, morals, and social integrity.

The objective we seek through a national policy is the education of every citizen towards a greater temperance throughout the Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this fifth day of December, in the year of our Lord nineteen hundred and thirty-three, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

## INCREASING DUTY ON FISH PACKED IN OIL

December 14, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Tariff on fish, packed  
in oil, etc.  
Preamble.  
Statutory authoriza-  
tion.  
Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of title III, part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes", the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, fish, prepared or preserved in any manner, when packed in oil or in oil and other substances, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing countries;

WHEREAS in the course of said investigation hearings were held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found it shown by said investigation that the principal competing country for tuna fish, prepared or preserved in any manner, when packed in oil or in oil and other substances, is Japan, and that the principal competing country for fish other than tuna, prepared or preserved in any manner, when packed in oil or in oil and other substances, is Norway, and that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing countries, and has specified in its report the increases in the rate of duty expressly fixed by statute found by the Commission to be shown by said investigation to be necessary to equalize such differences; and

WHEREAS in the judgment of the President such rates of duty are shown by such investigation of the Tariff Commission to be necessary to equalize such differences in costs of production:

Increasing duties to  
equalize differences in  
costs of production.

Vol. 46, p. 633.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the following rates of duty found to be shown by said investigation to be necessary to equalize such differences in costs of production:

An increase in the rate of duty expressly fixed in paragraph 718 (a) of title I of said act on tuna fish, prepared or preserved in any manner, when packed in oil or in oil and other substances, from 30 per centum ad valorem to 45 per centum ad valorem; and

An increase in the rate of duty expressly fixed in paragraph 718 (a) of title I of said act on fish other than tuna, prepared or preserved in any manner, when packed in oil or in oil and other substances, and of a value not exceeding 9 cents per pound, including the weight of the immediate container only, from 30 per centum ad valorem to 44 per centum ad valorem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.  
 DONE at the City of Washington this fourteenth day of December, in the year of our Lord nineteen hundred and thirty-three, [SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

FRANKLIN D ROOSEVELT

[No. 2066]

[COINAGE OF SILVER]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 21, 1933.

A PROCLAMATION

WHEREAS, by paragraph (2) of section 43, title III, of the Act of Congress, approved May 12, 1933 (Public No. 10), the President is authorized "By proclamation to fix the weight of the gold dollar in grains nine-tenths fine and also to fix the weight of the silver dollar in grains nine-tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce against the adverse effect of depreciated foreign currencies, and to provide for the unlimited coinage of such gold and silver at the ratio so fixed, \* \* \*"; and

Coinage of silver.  
Preamble.  
Statutory authoriza-  
tion.  
*Ante*, p. 52.

WHEREAS, from investigations made by me, I find it necessary, in aid of the stabilization of domestic prices and in accordance with the policy and program authorized by Congress, which are now being administered, and to protect our foreign commerce against the adverse effect of depreciated foreign currencies, that the price of silver be enhanced and stabilized; and

Stabilizing domestic  
prices; protection  
against depreciated for-  
ign currencies, etc.

WHEREAS, a resolution presented by the Delegation of the United States of America was unanimously adopted at the World Economic and Monetary Conference in London on July 20, 1933, by the representatives of sixty-six Governments, which in substance provided that Governments will abandon the policy and practice of melting up or debasing silver coins; that low valued silver currency be replaced with silver coins and that no legislation should be enacted that will depreciate the value of silver; and

Resolution of World  
Economic and Mone-  
tary Conference.

WHEREAS, a separate and supplemental agreement was entered into, at the instance of the representatives of the United States, between China, India, and Spain, the holders and users of large quantities of silver, on the one hand, and Australia, Canada, Mexico, Peru, and the United States on the other hand, as the chief producers of silver, wherein China agreed not to dispose of any silver derived from the melting up or debasement of silver coins, and India agreed not to dispose of over 35,000,000 ounces of silver per annum during a period of four years commencing January 1, 1934, and Spain agreed not to dispose of over 5,000,000 ounces of silver annually during said

Separate agreements  
with designated silver-  
using countries.  
Limitations im-  
posed.

period, and both of said Governments agreed that at the end of said period of four years they would then subject themselves to the general resolution adopted at the London Conference, and in consideration of such limitation it was agreed that the Governments of the five producing countries would each absorb from the mines in their respective countries a certain amount of silver, the total amount to be absorbed by said producing countries being 35,000,000 ounces per annum during the four years commencing the 1st day of January, 1934; that such silver so absorbed would be retained in each of said respective countries for said period of four years, to be used for coinage purposes or as reserves for currency, or to otherwise be retained and kept off the world market during such period of time, it being understood that of the 35,000,000 ounces the United States was to absorb annually at least 24,421,410 ounces of the silver produced in the United States during such period of time.

Necessity declared.  
Execution of agreements.

Directing opening of  
mints to the coinage of  
newly mined domestic  
silver.

Seigniorage, etc.,  
charges.

Fifty percent to be  
coined into standard  
silver dollars.

Remainder to be re-  
tained as bullion; ex-  
ception.

Regulations to be  
prescribed.  
Vol. 40, p. 535.

Duration.

Ratio to be main-  
tained.  
U.S.C., p. 995.

Right reserved.

NOW, THEREFORE, finding it proper to cooperate with other Governments and necessary to assist in increasing and stabilizing domestic prices, to augment the purchasing power of peoples in silver-using countries, to protect our foreign commerce against the adverse effect of depreciated foreign currencies, and to carry out the understanding between the sixty-six Governments that adopted the resolution hereinbefore referred to; by virtue of the power in me vested by the Act of Congress above cited, the other legislation designated for national recovery, and by virtue of all other authority in me vested;

I, FRANKLIN D. ROOSEVELT, President of the United States of America, do proclaim and direct that each United States coinage mint shall receive for coinage into standard silver dollars any silver which such mint, subject to regulations prescribed hereunder by the Secretary of the Treasury, is satisfied has been mined, subsequently to the date of this proclamation, from natural deposits in the United States or any place subject to the jurisdiction thereof. The Director of the Mint, with the voluntary consent of the owner, shall deduct and retain of such silver so received fifty percent as seigniorage and for services performed by the Government of the United States relative to the coinage and delivery of silver dollars. The balance of such silver so received, that is, fifty percent thereof, shall be coined into standard silver dollars and the same, or an equal number of other standard silver dollars, shall be delivered to the owner or depositor of such silver. The fifty percent of such silver so deducted shall be retained as bullion by the Treasury and shall not be disposed of prior to the thirty-first day of December, 1937, except for coining into United States coins.

The Secretary of the Treasury is authorized to prescribe regulations to carry out the purposes of this proclamation. Such regulations shall contain provisions substantially similar to the provisions contained in the regulations made pursuant to the Act of Congress, approved April 23, 1918, (40 Statutes at Large, page 535), known as the Pittman Act, with such changes as he shall determine prescribing how silver mined, subsequently to the date of this proclamation from natural deposits in the United States or any place subject to the jurisdiction thereof, shall be identified.

This proclamation shall remain in force and effect until the thirty-first day of December, 1937, unless repealed or modified by Act of Congress or by subsequent proclamation.

The present ratio in weight and fineness of the silver dollar to the gold dollar shall, for the purposes of this proclamation, be maintained until changed by further order or proclamation.

Notice is hereby given that I reserve the right by virtue of the authority vested in me to revoke or modify this proclamation as the interest of the United States may seem to require.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 21<sup>st</sup> day of December, in the year of our Lord nineteen hundred and thirty-three, [SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2067]

(GRANTING PARDON TO PERSONS CONVICTED OF CERTAIN WAR-TIME OFFENSES)

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 23, 1933.

A PROCLAMATION

Whereas, in and by the Constitution of the United States of America, it is provided that the President "shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment", and

Persons convicted of certain war-time offenses.

Preamble.  
Provisions of the Constitution.

Violations specified.

Whereas, various persons have been from time to time convicted in the courts of the United States of violations of certain statutes enacted during the war between the United States and the Imperial German Government and Imperial Austro-Hungarian Government, to wit:

Section 3 of Title I of the Act approved June 15, 1917, entitled "An Act To punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes" (40 Stat. 217); and said section as amended by the Act approved May 16, 1918 (40 Stat. 553); or of a conspiracy to violate the same;

Seditious acts, etc.  
Vol. 40, p. 219; U.S.C.,  
p. 1891.  
Espionage, etc.  
Vol. 40, p. 553.

Conspiracy to violate Section 5 of the Act approved on June 15, 1917, entitled "An Act To authorize the President to increase temporarily the Military Establishment of the United States" (40 Stat. 76); and said Section as amended by the Act approved August 31, 1918 (40 Stat. 955); and

Selective draft.  
Vol. 40, pp. 80, 955.

Whereas, the emergency contemplated by the aforesaid statutes has long expired;

Now, Therefore, Be it Known, that I, Franklin D. Roosevelt, President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, do hereby declare and grant a full pardon to all persons who have heretofore been convicted of a violation of any of the foregoing statutory provisions or of a conspiracy to violate the same, and who have complied with the sentences imposed on them; provided, however, that such pardon shall not be construed to pardon such persons for any offenses other than those designated herein, whether committed prior or subsequently to the offenses herein designated.

Full pardon granted,  
if sentence imposed has  
been complied with.

Proviso.  
Restriction.

In Witness Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 23<sup>rd</sup> day of December, in the year of our Lord nineteen hundred and thirty-three, and [SEAL] of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President.

WILLIAM PHILLIPS

*Acting Secretary of State*

[No. 2068]

MERCHANDISE IN BONDED WAREHOUSE, BONDED CARPET WOOL AND CAMEL HAIR, AND DRAWBACK EXPORTATIONS

December 30, 1933.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Bonded warehouses,  
etc.  
Preamble.  
Statutory authoriza-  
tion.  
Vol. 46, p. 696.

Emergency declared.

Time extended for  
withdrawing merchan-  
dise, imported during  
1931, for warehousing.  
Vol. 46, p. 744.

Proviso.  
Conditions imposed.

Bonded wool, condi-  
tionally free, for desig-  
nated manufacture.

Time extended for  
proof of use.  
Vol. 46, p. 646.

WHEREAS section 318 of the Tariff Act of 1930 (ch. 497, 46 Stat. 590, 696) provides, in part:

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act \* \* \*";

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid provisions, do hereby proclaim an emergency to exist.

And I do further proclaim that it is necessary and proper, because of the emergency, that all merchandise (except grain) imported during the calendar year 1931 and entered for warehousing under section 557 of the Tariff Act of 1930 be permitted to remain in warehouse for a further period; and I therefore hereby authorize the Secretary of the Treasury, until further notice, to extend the warehousing period for such merchandise for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930: *Provided*, however, that in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the benefits under the extension granted, shall either furnish to the Collector of Customs for the district in which the merchandise is warehoused the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension.

And I do further proclaim that it is necessary and proper, because of the emergency, that as to all wool or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1931 conditionally free of duty, under bond, under paragraph 1101 of the Tariff Act of 1930 for use in the manufacture of press cloth, camel's-hair belting, rugs, carpets, or other floor coverings, or in the manu-

facture of knit or felt boots or heavy fulled lumbermen's socks, there shall be permitted a further period during which proof that such wool or hair has been so used may be furnished; and I therefore hereby authorize the Secretary of the Treasury, until further notice, to extend the period during which proof of such use may be furnished for not more than one year from and after the expiration of the three-year period prescribed in said paragraph 1101: *Provided*, however, that in each and every case the Secretary of the Treasury shall require that the principal on the bond, in order to obtain the benefits under the extension granted, shall either furnish to the Collector of Customs for the district in which the bond was given, the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension.

*Proviso.  
Terms.*

And I do further proclaim that it is necessary and proper, because of the emergency, that as to articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes a further period for exportation (or shipment to the Philippine Islands) of the completed articles be permitted in those cases in which the merchandise involved was imported during the calendar year 1931; and I therefore hereby authorize the Secretary of the Treasury to extend the period for exportation (or shipment to the Philippine Islands) of the completed articles in such cases for not more than one year from and after the expiration of the three-year period prescribed in section 313 (h) of the Tariff Act of 1930.

*Drawback.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 30<sup>th</sup> day of December, in the year of our Lord nineteen hundred and thirty-three, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2069]

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(AMENDING PROCLAMATIONS OF MARCH 6 AND MARCH 9, 1933, AND THE EXECUTIVE ORDER OF MARCH 10, 1933 AND ALL ORDERS AND REGULATIONS PURSUANT THERETO)

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 30, 1933.

### A PROCLAMATION

WHEREAS, on March 6, 1933, I, Franklin D. Roosevelt, President of the United States of America, by virtue of authority vested in me by the Act of October 6, 1917 (40 Stat. L. 411), as amended, issued a Proclamation declaring that an emergency existed and that a National banking holiday be observed;

*Banking operations.  
Preamble.  
Ante, p. 1689.  
Vol. 40, p. 415; Ante,  
p. 1.*

WHEREAS, on March 9, 1933, I issued a Proclamation continuing the terms and conditions of said Proclamation of March 6, 1933, in full force and effect until further proclamation by the President;

*Ante, p. 1691.*

State banks not  
members of Federal  
Reserve system.  
Executive Order No.  
6073.

Licenses.

Admittance to mem-  
bership of Fund  
granted to State banks.

*Ante*, p. 179.

Responsibility of  
State.

Authority of State  
over State nonmember  
banks reestablished.

Designated Procla-  
mations and Executive  
Orders amended.

*Proviso.*  
Gold impounding  
reservation.

WHEREAS, on March 10, 1933, I issued an Executive order authorizing the appropriate authority having immediate supervision of banking institutions in each State or any place subject to the jurisdiction of the United States to permit any banking institution not a member of the Federal Reserve System to perform any or all of its usual banking functions except as otherwise provided;

WHEREAS, the Secretary of the Treasury, pursuant to authority granted by other provisions of the said Executive order of March 10, 1933, has acted upon all requests for licensing of banks members of the Federal Reserve System;

WHEREAS, the Federal Deposit Insurance Corporation has acted upon all applications to it for membership in the Temporary Federal Deposit Insurance Fund as provided for in Section 12B (y) of the Federal Reserve Act as amended by Section 8 of the Act of June 16, 1933, Public No. 66, Seventy-third Congress, and has admitted to the said Fund all applicant banks which are duly and properly qualified; and

WHEREAS, it is now appropriate that the banking authority in each State and any place subject to the jurisdiction of the United States should have and exercise the sole responsibility for, and control over, banking institutions not members of the Federal Reserve System;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, PRESIDENT of the UNITED STATES, in order to assure that the banking authority in each State and in any place subject to the jurisdiction of the United States shall have and exercise the sole responsibility for, and control over, banking institutions which are not members of the Federal Reserve System, do hereby proclaim, order, direct, and declare that the Proclamations of March 6, 1933 and March 9, 1933, and the Executive order of March 10, 1933, and all orders and regulations pursuant thereto, are amended, effective the first day of January, nineteen hundred and thirty-four, to exclude from their scope banking institutions which are not members of the Federal Reserve System. PROVIDED, HOWEVER, That no banking institution shall pay out any gold coin, gold bullion, or gold certificates, except as authorized by the Secretary of the Treasury, nor allow the withdrawal of any currency for hoarding, nor engage in any transactions in foreign exchange except such as may be undertaken for legitimate and normal business requirements, for reasonable traveling and other personal requirements, and for the fulfillment of contracts entered into prior to March 6, 1933.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the City of Washington this 30<sup>th</sup> day of December in the year of our Lord one thousand nine hundred and thirty-[SEAL] three, and of the Independence of the United States the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
WILLIAM PHILLIPS  
*Acting Secretary of State.*

[No. 2070]

## UNION OF SOVIET SOCIALIST REPUBLICS—SUSPENSION OF TONNAGE DUES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 16, 1934.

## A PROCLAMATION

Whereas section 4228 of the Revised Statutes (U.S.C., title 46, sec. 141) in part provides as follows:

"Upon satisfactory proof being given to the President, by the government of any foreign nation, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President may issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country; the suspension to take effect from the time of such notification being given to the President, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, shall be continued, and no longer."

WHEREAS satisfactory proof was received by me from the Government of the Union of Soviet Socialist Republics on November 21, 1933, that no discriminating duties of tonnage or imposts are levied or imposed in the waters of the Union of Soviet Socialist Republics upon vessels wholly belonging to citizens of the United States or upon the produce, manufactures, or merchandise imported in such vessels, from the United States or from any foreign country:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, by virtue of the authority vested in me by section 4228 of the Revised Statutes of the United States, do hereby declare and proclaim that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of the Union of Soviet Socialist Republics and the produce, manufactures, or merchandise imported in said vessels into the United States from the Union of Soviet Socialist Republics or from any other foreign country; the suspension to take effect from November 21, 1933, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued, and no longer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 16<sup>th</sup> day of January, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*Tonnage dues.  
Preamble.Statutory authoriza-  
tion.  
R.S., sec. 4228, p. 814.  
Vol. 30, p. 214.  
U.S.C., p. 1469.Suspension of dis-  
criminating duties on  
vessels of the Union of  
Soviet Socialist Repub-  
lics.

[No. 2071]

January 31, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

*Gold Reserve.  
Preamble.  
Vol. 31, p. 45.*

*Ante, p. 51.  
Statutory authority  
of President.*

WHEREAS, by virtue of Section 1 of the Act of Congress approved March 14, 1900 (31 Stat. L. 45), the present weight of the gold dollar is fixed at twenty five and eight tenths grains of gold nine tenths fine; and

WHEREAS, by Section 43, Title III of the Act approved May 12, 1933 (Public, No. 10, 73d Congress), as amended by Section 12 of the Gold Reserve Act of 1934, it is provided in part as follows:

"Whenever the President finds, upon investigation, that (1) the foreign commerce of the United States is adversely affected by reason of the depreciation in the value of the currency of any other government or governments in relation to the present standard value of gold, or (2) action under this section is necessary in order to regulate and maintain the parity of currency issues of the United States, or (3) an economic emergency requires an expansion of credit, or (4) an expansion of credit is necessary to secure by international agreement a stabilization at proper levels of the currencies of various governments, the President is authorized, in his discretion—

"(a) To direct the Secretary of the Treasury to enter into agreements with the several Federal Reserve banks and with the Federal Reserve Board whereby the Federal Reserve Board will, and it is hereby authorized to, notwithstanding any provisions of law or rules and regulations to the contrary, permit such reserve banks to agree that they will, (1) conduct, pursuant to existing law, throughout specified periods, open market operations in obligations of the United States Government or corporations in which the United States is the majority stockholder, and (2) purchase directly and hold in portfolio for an agreed period or periods of time Treasury bills or other obligations of the United States Government in an aggregate sum of \$3,000,000,000 in addition to those they may then hold, unless prior to the termination of such period or periods the Secretary shall consent to their sale. No suspension of reserve requirements of the Federal Reserve banks, under the terms of section 11 (c) of the Federal Reserve Act, necessitated by reason of operations under this section, shall require the imposition of the graduated tax upon any deficiency in reserves as provided in said section 11 (c). Nor shall it require any automatic increase in the rates of interest or discount charged by any Federal Reserve bank, as otherwise specified in that section. The Federal Reserve Board, with the approval of the Secretary of the Treasury, may require the Federal Reserve banks to take such action as may be necessary, in the judgment of the Board and of the Secretary of the Treasury, to prevent undue credit expansion.

"(b) If the Secretary, when directed by the President, is unable to secure the assent of the several Federal Reserve banks and the Federal Reserve Board to the agreements authorized in this section, or if operations under the above provisions prove to be inadequate to meet the purposes of this section, or if for any other reason additional measures are required in the judgment of the President to meet such purposes, then the President is authorized—

\* \* \*

"(2) By proclamation to fix the weight of the gold dollar in grains nine tenths fine and also to fix the weight of the silver dollar in grains nine tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce against the adverse effect of depreciated foreign currencies, and to provide for the unlimited coinage of such gold and silver at the ratio so fixed, or in case the Government of the United States enters into an

agreement with any government or governments under the terms of which the ratio between the value of gold and other currency issued by the United States and by any such government or governments is established, the President may fix the weight of the gold dollar in accordance with the ratio so agreed upon, and such gold dollar, the weight of which is so fixed, shall be the standard unit of value, and all forms of money issued or coined by the United States shall be maintained at a parity with this standard and it shall be the duty of the Secretary of the Treasury to maintain such parity, but in no event shall the weight of the gold dollar be fixed so as to reduce its present weight by more than 50 per centum. Nor shall the weight of the gold dollar be fixed in any event at more than 60 per centum of its present weight. The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section in his judgment may require; except that such powers shall expire two years after the date of enactment of the Gold Reserve Act of 1934 unless the President shall sooner declare the existing emergency ended, but the President may extend such period for not more than one additional year after such date by proclamation recognizing the continuance of such emergency"; and

Duration of powers  
conferred.

WHEREAS, I find, upon investigation, that the foreign commerce of the United States is adversely affected by reason of the depreciation in the value of the currencies of other governments in relation to the present standard value of gold, and that an economic emergency requires an expansion of credit; and

WHEREAS, in my judgment, measures additional to those provided by subsection (a) of said Section 43 are required to meet the purposes of such Section; and

WHEREAS, I find, from my investigation, that, in order to stabilize domestic prices and to protect the foreign commerce against the adverse effect of depreciated foreign currencies, it is necessary to fix the weight of the gold dollar at  $15\frac{1}{2}$  grains nine tenths fine,

NOW, THEREFORE, be it known that I, FRANKLIN D. ROOSEVELT, President of the United States, by virtue of the authority vested in me by Section 43, Title III of said Act of May 12, 1933, as amended, and by virtue of all other authority vested in me, do hereby proclaim, order, direct, declare and fix the weight of the gold dollar to be  $15\frac{1}{2}$  grains nine tenths fine, from and after the date and hour of this proclamation. The weight of the silver dollar is not altered or affected in any manner by reason of this proclamation.

Weight of gold dollar  
*Ante*, p. 52

This proclamation shall remain in force and effect until and unless repealed or modified by act of Congress or by subsequent proclamation; and notice is hereby given that I reserve the right by virtue of the authority vested in me to alter or modify this proclamation as the interest of the United States may seem to require.

Weight of silver dol-  
lar not affected.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the seal of the United States to be affixed.

Modification, etc.,  
provisions.

DONE in the City of Washington at 3.10 o'clock in the afternoon, Eastern Standard Time, this 31 day of January, in the year [SEAL] of our Lord one thousand nine hundred and thirty-four, and of the Independence of the United States the one hundred and fifty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

**EMERGENCY BOARD, DENVER & RIO GRANDE WESTERN RAILROAD  
COMPANY—EMPLOYEES**

February 1, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

**A PROCLAMATION**

Labor disputes, Denver & Rio Grande Western Railroad Company and certain of its employees.  
**Preamble.**

WHEREAS the President, having been duly notified by the Board of Mediation that disputes between the Denver & Rio Grande Western Railroad Company, a carrier, and certain of its employees represented by

Brotherhood of Locomotive Engineers;  
Brotherhood of Locomotive Firemen and Enginemen;  
Order of Railway Conductors;  
Brotherhood of Railroad Trainmen;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, now threaten substantially to interrupt interstate commerce within the States of Utah, Colorado and New Mexico, to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, do hereby create a board to be composed of three (3) persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within 30 days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of fifty (\$50.00) dollars for every day actually employed with or upon account of travel and duties incident to such board, from which will be deducted fifteen per cent. (15%) as provided in Public No. 2, 73d Congress, Approved March 20, 1933. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a.m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

All expenditures of the board shall be allowed and paid for out of the appropriation "emergency Boards, Railway Labor Act, May 20, 1926, 1934" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this first day of February in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

**FRANKLIN D ROOSEVELT**

By the President.

**CORDELL HULL**

*Secretary of State.*

[No. 2073]

Emergency board  
created to investigate  
and report thereon.  
Vol. 44, p. 686.

Compensation, etc.

*Ante*, p. 12.

Reimbursement for  
expenses.  
Vol. 47, p. 401.

Funds available.  
*Ante*, p. 286.

**APPOINTING HENRY MORGENTHAU, JR. DIRECTOR GENERAL OF RAILROADS**

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 7, 1934.

**A PROCLAMATION**

WHEREAS William H. Woodin has tendered his resignation as Director General of Railroads; and

Preamble.

WHEREAS such resignation has been accepted, effective upon the qualification of his successor;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the unrepealed provisions of the Federal Control Act of March 21, 1918 (ch. 25, 40 Stat. 451), and the Transportation Act, 1920 (ch. 91, 41 Stat. 456), do hereby appoint, effective the seventh day of February, 1934, Henry Morgenthau, Jr., Secretary of the Treasury, as Director General of Railroads in the stead of the said William H. Woodin, and do hereby delegate to, and continue and confirm in him, all powers and authority heretofore granted to and now possessed by the said William H. Woodin as Director General of Railroads; and I do hereby authorize and direct the said Henry Morgenthau, Jr., until otherwise provided by proclamation of the President or by act of Congress, either personally or through such divisions, agencies, or persons as he may authorize, to exercise and perform, as fully in all respects as the President is authorized to do, all and singular the powers and duties conferred or imposed upon me by the said unrepealed provisions of the Federal Control Act of March 21, 1918, and the said Transportation Act, 1920, except designating the agent provided for in section 206 of said act.

Henry Morgenthau,  
Jr.  
Appointed Director  
General of Railroads.  
Vol. 40, p. 451; Vol.  
41, p. 456.  
Effective date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 7<sup>th</sup> day of February, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

**FRANKLIN D ROOSEVELT**

By the President:

**CORDELL HULL**

*Secretary of State.*

[No. 2074]

**DESIGNATING AND APPOINTING HENRY MORGENTHAU, JR., DIRECTOR GENERAL OF RAILROADS, AS THE AGENT PROVIDED FOR IN SECTION 206 OF THE TRANSPORTATION ACT, 1920**

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 7, 1934.

**A PROCLAMATION**

WHEREAS by proclamation dated March 15, 1933, William H. Woodin, Director General of Railroads, was designated as the agent provided for in section 206 of the Transportation Act, 1920 (ch. 91, 41 Stat. 461); and

Transportation Act,  
1920.  
Preamble.  
*Ante*, p. 1692.  
Vol. 41, p. 461.

WHEREAS the said William H. Woodin, Director General of Railroads as aforesaid, has tendered his resignation as said agent,

which has been duly accepted, effective upon the qualification of his successor;

Appointing Henry Morgenthau, Jr., as agent.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by said act, do hereby designate and appoint, effective the seventh day of February, 1934, Henry Morgenthau, Jr., Director General of Railroads, as the agent provided for in said section 206 of the Transportation Act, 1920.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 7<sup>th</sup> day of February, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2075]

**EXTENDING FOR 1 YEAR THE PERIOD WITHIN WHICH ADVANCES  
MAY BE MADE UNDER SECTION 10(B) OF THE FEDERAL RESERVE  
ACT AS AMENDED**

February 16, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

**A PROCLAMATION**

Federal Reserve Banks.  
Vol. 47, pp. 56, 794;  
Ante, p. 7; U.S.C.,  
Supp. VII, p. 172.

Advances authorized to member banks when acceptable assets not available for rediscoun.

Security.

Interest.

Duration.

Continuation deemed advisable.

Provisions extended one year.

WHEREAS section 10(b) of the Federal Reserve Act as amended by the act of February 27, 1932 (ch. 58, 47 Stat. 56), by the act of February 3, 1933 (ch. 34, 47 Stat. 794), and by the act of March 9, 1933 (Public, No. 1, 73d Cong.), reads as follows:

"SEC. 10(b). In exceptional and exigent circumstances, and when any member bank has no further eligible and acceptable assets available to enable it to obtain adequate credit accommodations through rediscounting at the Federal reserve bank or any other method provided by this Act other than that provided by section 10(a), any Federal reserve bank, under rules and regulations prescribed by the Federal Reserve Board, may make advances to such member bank on its time or demand notes secured to the satisfaction of such Federal reserve bank. Each such note shall bear interest at a rate not less than 1 per centum per annum higher than the highest discount rate in effect at such Federal reserve bank on the date of such note. No advance shall be made under this section after March 3, 1934, or after the expiration of such additional period not exceeding one year as the President may prescribe."; and

WHEREAS I, FRANKLIN D. ROOSEVELT, President of the United States of America, deem it advisable that the authority of the Federal reserve banks to make advances under the provisions of said section 10(b) of the Federal Reserve Act be continued for an additional period after March 3, 1934;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by said section 10(b) of the Federal Reserve Act, do hereby proclaim, declare, and prescribe an additional period of 1 year after March 3, 1934, during which advances may be

made by any Federal reserve bank under the provisions of said section.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 16<sup>th</sup> day of February, in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2076]

**EMERGENCY BOARD, DELAWARE AND HUDSON RAILROAD CORPORATION—EMPLOYEES**

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 5, 1934.

**A PROCLAMATION**

WHEREAS the President, having been duly notified by the Board of Mediation that disputes between the Delaware and Hudson Railroad Corporation, a carrier, and certain of its employees represented by

Labor disputes, Delaware and Hudson Railroad Corporation and certain of its employees.

Brotherhood of Locomotive Engineers;

Brotherhood of Locomotive Firemen and Enginemen;

Brotherhood of Railroad Trainmen;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, now threaten substantially to interrupt interstate commerce within the States of New York, Pennsylvania and Vermont, to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, do hereby create a board to be composed of three (3) persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within thirty days from this date.

Emergency board created to investigate, and to report thereon.

The members of this board shall be compensated for and on account of such duties in the sum of fifty (\$50.00) dollars for every day actually employed with or upon account of travel and duties incident to such board, from which will be deducted fifteen per cent. (15%) as provided in Public No. 2, 73d Congress, Approved March 20, 1933. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a.m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Vol. 44, p. 586.  
U.S.C., p. 2110.

Compensation, etc.

All expenditures of the board shall be allowed and paid for out of the appropriation "emergency Boards, Railway Labor Act, May 20, 1926, 1934" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Ante, p. 8.

Vol. 47, p. 405.

Expenditures of the board.  
Ante, p. 286.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.  
 Done at the City of Washington this fifth day of March in the year of our Lord nineteen hundred and thirty-four, and of [SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President.  
 CORDELL HULL  
*Secretary of State.*

[No. 2077]

### CHILD HEALTH DAY

April 6, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Child Health Day.  
 Preamble.  
 Vol. 45, p. 617.

WHEREAS the Congress by Joint Resolution of May 18, 1928, requested the President of the United States to proclaim annually May 1 as Child Health Day; and

WHEREAS the welfare of the Nation is vitally affected by the health of its children; and

WHEREAS the promotion of the best physical and mental development of the children is an essential part of the social-health program of the Nation; and

WHEREAS it is highly desirable that special consideration be given this matter in all parts of the Nation;

Setting aside May 1, 1934, as, and recommending observance of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the first day of May of this year as Child Health Day, and do urge all official and voluntary agencies and organizations and all individuals interested in child welfare to unite upon that day in the observance of such exercises as will result in a deeper realization by the people of the necessity for the protection and promotion of the health of the Nation's children and in greater, unified effort to improve the existing child-welfare program wherever it is found inadequate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 6<sup>th</sup> day of April, in the year of our Lord nineteen hundred and thirty-four, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
 CORDELL HULL  
*Secretary of State.*

[No. 2078]

## COPYRIGHT—FREE CITY OF DANZIG

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 7, 1934.

## A PROCLAMATION

WHEREAS it is provided by the act of Congress approved March 4, 1909 (ch. 320, 35 Stat. 1075-1088), entitled "AN ACT To amend and consolidate the Acts respecting copyright", that the copyright secured by the act, except the benefits under section 1(e) thereof as to which special conditions are imposed, shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation, only upon certain conditions set forth in section 8 of the act, to wit:

Copyrights.  
Preamble.  
Vol. 35, p. 1075.

"(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

Vol. 35, p. 1077.

"(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this Act or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto"; and

WHEREAS it is provided by section 1(e) that the provisions of the act "so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after this Act goes into effect, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights"; and

WHEREAS the President is authorized by section 8 to determine by proclamation made from time to time the existence of the reciprocal conditions aforesaid, as the purposes of the act may require; and

WHEREAS satisfactory evidence has been received that in the Free City of Danzig the law permits and from the date of this proclamation will grant to citizens of the United States the benefit of copyright on substantially the same basis as to citizens of the Free City of Danzig; and

Action by Free City  
of Danzig.

WHEREAS satisfactory official assurance has been given that in the Free City of Danzig the law now permits to citizens of the United States similar rights to those accorded in section 1(e) of the act of March 4, 1909:

Similar rights under  
law.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do declare and proclaim:

Benefits extended to  
citizens of the Free  
City of Danzig.

That on and after April 7, 1934 the conditions specified in section 8(b) and 1(e) of the act of March 4, 1909, will exist and be fulfilled in respect of the citizens of the Free City of Danzig and that on and after April 7, 1934 citizens of the Free City of Danzig shall be entitled to all the benefits of this act and acts amendatory thereof:

Conditions.

*Provided*, That the enjoyment by any work of the rights and benefits conferred by the act of March 4, 1909, and the acts amendatory thereof, shall be conditional upon compliance with the requirements and formalities prescribed with respect to such works by the copyright laws of the United States;

**Mechanical musical works included.**

*And provided further,* That the provisions of section 1(e) of the act of March 4, 1909, insofar as they secure copyright controlling parts of instruments serving to reproduce mechanically musical works, shall apply only to compositions published after July 1, 1909, and registered for copyright in the United States which have not been reproduced within the United States prior to April 7, 1934 on any contrivance by means of which the work may be mechanically performed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 7<sup>th</sup> day of April, in the year of our Lord nineteen hundred and thirty-four, and of the  
 [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
**CORDELL HULL**  
*Secretary of State.*

[No. 2079]

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#### DECREASING RATES OF DUTY ON LAMINATED PRODUCTS

April 23, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

#### A PROCLAMATION

Tariff on laminated products.  
 Preamble.  
 Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of title III, part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes", the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, laminated products of which any synthetic resin or resin-like substance is the chief binding agent, in sheets or plates, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing country;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found it shown by said investigation that the principal competing country is Germany, and that the duties expressly fixed by statute do not equalize the difference in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing country, and has specified in its report the decreases in the rates of duty expressly fixed by statute found by the Commission to be shown by said investigation to be necessary to equalize such difference; and

WHEREAS in the judgment of the President such rates of duty are shown by such investigation of the Tariff Commission to be necessary to equalize such difference in costs of production;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim decreases in the rates of duty expressly fixed in paragraph 1539 (b) of title I of said act on laminated products (whether or not provided for elsewhere in the Tariff Act of 1930) of which any synthetic resin or resin-like substance is the chief binding agent, in sheets or plates, from 25 cents per pound and 30 per centum ad valorem to 15 cents per pound and 25 per centum ad valorem, the rates found to be shown by said investigation to be necessary to equalize such difference in costs of production.

Decreasing duty to  
equalize differences in  
costs of production.  
Vol. 46, p. 668.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23<sup>d</sup> day of April, in the year of our Lord nineteen hundred and thirty-four, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

WILLIAM PHILLIPS

*Acting Secretary of State.*

[No. 2080]

### CHANGING DUTY ON CANNED CLAMS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 1, 1934.

### A PROCLAMATION

WHEREAS under and by virtue of section 336 of title III, part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes", the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, clams, packed in air-tight containers, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing countries;

Canned clams.  
Preamble.  
Vol. 46, p. 701.

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found it shown by said investigation that the principal competing country for razor clams (*siliqua patula*), packed in air-tight containers, is Canada, and that the duty expressly fixed by statute does not equalize the difference in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing country; and that the principal competing country for clams other than razor clams, and clams in combination with other substances (except clam chowder), packed in air-tight containers, is Japan, and that said difference with respect to these articles cannot be equalized by proceeding under the provisions of subdivision (a) of said section and act;

American selling  
price.  
Vol. 46, p. 710.

WHEREAS the Commission has specified in its report the decreased rate of duty on razor clams (*siliqua patula*), packed in air-tight containers, and the ad valorem rate of duty based on the American selling price, as defined in section 402 (g) of said act, of the domestic articles, on clams other than razor clams, and clams in combination with other substances (except clam chowder), packed in air-tight containers, found by the Commission to be shown by said investigation to be necessary to equalize such differences in costs of production; and

WHEREAS in the judgment of the President such decreased rate of duty and such ad valorem rate of duty based upon said American selling price are shown by such investigation of the Tariff Commission to be necessary to equalize such differences in costs of production;

Decreasing duty on  
canned clams.  
Vol. 46, p. 634.

Vol. 46, p. 710.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim a decrease in the rate of duty expressly fixed in paragraph 721 (b) of title I of said act on razor clams (*siliqua patula*), packed in air-tight containers, from 35 per centum ad valorem to 23 per centum ad valorem; and assessment of the rate of 35 per centum ad valorem expressly fixed in said paragraph, title, and act on clams other than razor clams, and clams in combination with other substances (except clam chowder), packed in air-tight containers, manufactured or produced in the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 1st day of May, in the year of our Lord nineteen hundred and thirty-four, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL  
*Secretary of State.*

[No. 2081]

**EXTENDING FOR ONE YEAR THE EFFECTIVE PERIOD OF TITLE I OF  
THE EMERGENCY RAILROAD TRANSPORTATION ACT, 1933.**

May 2, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

**A PROCLAMATION**

Emergency Railroad  
Transportation Act,  
1933.  
Preamble.

*Ante*, p. 217.

WHEREAS section 17 of Title I of the act entitled "An Act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15(a) and 19(a) of the Interstate Commerce Act as amended", approved June 16, 1933 (c. 91, 48 Stat. 211, 217), reads as follows:

"SEC. 17. This title shall cease to have effect at the end of one year after the effective date, unless extended by a proclamation of the President for one year or any part thereof, but orders of the Coordinator or of the Commission made thereunder shall continue in effect until vacated by the Commission or set aside by other lawful

authority, but notwithstanding the provisions of section 10 no such order shall operate to relieve any carrier from the effect of any State law or of any order of a State commission enacted or made after this title ceases to have effect."

AND WHEREAS in the judgment of the President it is deemed advisable and expedient to extend the effective period of Title I of the said Act for one year after June 16, 1934;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby declare and proclaim that the effective period of Title I of the act entitled "An Act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15(a) and 19(a) of the Interstate Commerce Act as amended", approved June 16, 1933 (c. 91, 48 Stat. 211, 217), is extended for one year after June 16, 1934.

Extension of Title I,  
one year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 2<sup>d</sup> day of May in the year of our Lord nineteen hundred and thirty-four and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:  
CORDELL HULL

*Secretary of State.*

[No. 2082]

MOTHER'S DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 3, 1934.

A PROCLAMATION

WHEREAS by House Joint Resolution 263, approved and signed by President Wilson on May 8, 1914, the second Sunday in May of each year has been designated as Mother's Day for the expression of our love and reverence for the mothers of our country; and

Mother's Day, 1934.  
Preamble.  
Vol. 38, p. 770.

WHEREAS Senate Resolution 218, adopted April 26, 1934, states that "there are throughout our land today an unprecedentedly large number of mothers and dependent children who, because of unemployment or loss of their bread-earners, are lacking many of the necessities of life", and the President of the United States is therein authorized and requested to issue a proclamation calling for the observance of Mother's Day this year;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon our citizens to express on Mother's Day, Sunday, May 13, 1934, our love and reverence for motherhood:

Observance of Sun-  
day, May 13, 1934, as  
Mother's Day.

(a) By the customary display of the United States flag on all Government buildings, homes, and other suitable places;

(b) By the usual tokens and messages of affection to our mothers; and

(c) By doing all that we can through our churches, fraternal and welfare agencies, for the relief and welfare of mothers and children who may be in need of the necessities of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 3<sup>rd</sup> day of May, in the year of our Lord nineteen hundred and thirty-four, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2083]

#### NATIONAL MARITIME DAY

May 4, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

National Maritime Day.  
Preamble.

WHEREAS on May 22, 1819, the Steamship *THE SAVANNAH* sailed from Savannah, Georgia, on the first successful transoceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation; and

*Ante*, p. 73.

WHEREAS the Congress by Joint Resolution of May 20, 1933, designated May 22 of each year as National Maritime Day and requested the President to issue annually a Proclamation calling upon the people of the United States to observe such National Maritime Day;

Observance of May 22, 1934, as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do call upon and urge the people of the United States to observe May 22, 1934, as National Maritime Day by displaying the flag at their homes and other suitable places, and I hereby direct that Government officials display the flag on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 4<sup>th</sup> day of May, in the year of our Lord nineteen hundred and thirty-four, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2084]

#### DECREASING RATES OF DUTY ON SUGAR

May 9, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

Tariff on sugar.  
Preamble.  
Statutory authoriza-  
tion.  
Vol. 46, p. 701.

WHEREAS under and by virtue of section 336 of title III, part II, of the act of Congress approved June 17, 1930 (46 Stat. 590, 701), entitled "AN ACT To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to

protect American labor, and for other purposes", the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, raw and refined sugar, molasses, and related articles, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing country;

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard;

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production;

WHEREAS the Commission has found it shown by said investigation that the principal competing country is Cuba, and that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing country, and has specified in its report the decreases in the rates of duty expressly fixed by statute found by the Commission to be shown by said investigation to be necessary to equalize such differences; and

WHEREAS in the judgment of the President such rates of duty are shown by such investigation of the Tariff Commission to be necessary to equalize such differences in costs of production;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the following rates of duty found to be shown by said investigation to be necessary to equalize such differences in costs of production:

A decrease in the rate of duty expressly fixed in paragraph 501 of title I of said act on sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above seventy-five sugar degrees, and all mixtures containing sugar and water, testing by the polariscope above fifty sugar degrees and not above seventy-five sugar degrees, from 1.7125 cents per pound to 1.284375 cents per pound; and

A decrease in the rate of duty expressly fixed in paragraph 501 of title I of said act for each additional sugar degree shown by the polarisopic test, from three hundred and seventy-five ten-thousandths of 1 cent per pound additional, and fractions of a degree in proportion, to two hundred and eighty-one and one-fourth ten-thousandths of 1 cent per pound additional and fractions of a degree in proportion.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this ninth day of May in the

year of our Lord nineteen hundred and thirty-four, and of

[SEAL] the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2085]

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Decreasing duty to  
equalize differences in  
costs of production.

Vol. 46, p. 630.

## GENERAL LAFAYETTE MEMORIAL DAY

May 18, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

General Lafayette  
Memorial Day.

Observance, re-  
quested.  
*Ante*, p. 784.

Inviting observance  
of.

WHEREAS May 20, 1934, is the one hundredth anniversary of the death of General Lafayette; and

WHEREAS by House Joint Resolution 317 of the Seventy-third Congress, approved May 18, 1934, the President of the United States is authorized and requested to issue a proclamation calling for the observance of May 20, 1934, as General Lafayette Memorial Day:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby order that the flag of the United States be displayed on all Government buildings on May 20, 1934, and do invite the people of the United States to observe the day in schools, churches, and other suitable places, with appropriate ceremonies in commemoration of the death of General Lafayette.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 18<sup>th</sup> day of May, in the year of our Lord nineteen hundred and thirty-four, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2086]

## SALE OF ARMS AND MUNITIONS OF WAR TO BOLIVIA AND PARAGUAY

May 28, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Sale of arms, etc.  
Preamble.

*Ante*, p. 811.

WHEREAS section 1 of a joint resolution of Congress, entitled "Joint Resolution To prohibit the sale of arms or munitions of war in the United States under certain conditions", approved May 28, 1934, provides as follows:

"That if the President finds that the prohibition of the sale of arms and munitions of war in the United States to those countries now engaged in armed conflict in the Chaco may contribute to the re-establishment of peace between those countries, and if after consultation with the governments of other American Republics and with their cooperation, as well as that of such other governments as he may deem necessary, he makes proclamation to that effect, it shall be unlawful to sell, except under such limitations and exceptions as the President prescribes, any arms or munitions of war in any place in the United States to the countries now engaged in that armed conflict, or to any person, company, or association acting in the interest of either country, until otherwise ordered by the President or by Congress."

AND WHEREAS it is provided by section 2 of the said joint resolution that—

“Whoever sells any arms or munitions of war in violation of section 1 shall, on conviction, be punished by a fine not exceeding \$10,000 or by imprisonment not exceeding two years, or both.”

*Ante, p. 811.*

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred in me by the said joint resolution of Congress, do hereby declare and proclaim that I have found that the prohibition of the sale of arms and munitions of war in the United States to those countries now engaged in armed conflict in the Chaco may contribute to the reestablishment of peace between those countries, and that I have consulted with the governments of other American Republics and have been assured of the cooperation of such governments as I have deemed necessary as contemplated by the said joint resolution; and I do hereby admonish all citizens of the United States and every person to abstain from every violation of the provisions of the joint resolution above set forth, hereby made applicable to Bolivia and Paraguay, and I do hereby warn them that all violations of such provisions will be rigorously prosecuted.

*Announcement of President.*

And I do hereby enjoin upon all officers of the United States charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

*Warning to abstain from violation of law.*

And I do hereby delegate to the Secretary of State the power of prescribing exceptions and limitations to the application of the said joint resolution of May 28, 1934, as made effective by this my proclamation issued thereunder.

*Exceptions and limitations.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this twenty-eighth day of May, in the year of our Lord nineteen hundred and thirty-four,  
[SEAL] and of the Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2087]

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SUSPENDING THE PROVISIONS OF THE DAVIS-BACON ACT OF MARCH 3,  
1931

June 5, 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 1 of the Davis-Bacon Act of March 3, 1931 (ch. 411, 46 Stat. 1494), provides:

*Davis-Bacon Act of March 3, 1931.  
Vol. 46, p. 1494.  
Labor wage rates, building contracts.*

“\* \* \* Every contract in excess of \$5,000 in amount, to which the United States or the District of Columbia is a party, which requires or involves the employment of laborers or mechanics in the construction, alteration, and/or repair of any public buildings of the

*Stipulation not to be less than prevailing rates.*

United States or the District of Columbia within the geographical limits of the States of the Union or the District of Columbia, shall contain a provision to the effect that the rate of wage for all laborers and mechanics employed by the contractor or any subcontractor on the public buildings covered by the contract shall be not less than the prevailing rate of wages for work of a similar nature in the city, town, village, or other civil division of the State in which the public buildings are located, or in the District of Columbia if the public buildings are located there \* \* \*."

*National Industrial Recovery Act.  
Ante, p. 204.  
Contract provisions.*

WHEREAS section 206 of the National Industrial Recovery Act (ch. 90, 48 Stat. 195, 204) provides:

"All contracts let for construction projects and all loans and grants pursuant to this title shall contain such provisions as are necessary to insure \* \* \* (2) that (except in executive, administrative, and supervisory positions), so far as practicable and feasible, no individual directly employed on any such project shall be permitted to work more than thirty hours in any one week; (3) that all employees shall be paid just and reasonable wages which shall be compensation sufficient to provide, for the hours of labor as limited, a standard of living in decency and comfort \* \* \*."

*Authority of President in emergencies.*

WHEREAS the Secretary of Labor and the Administrator of Public Works have informed me that the concurrent operation of the aforesaid provisions of the Davis-Bacon Act and the National Industrial Recovery Act cause administrative confusion and delay which could be avoided by suspension of the provisions of the Davis-Bacon Act;

WHEREAS section 1 of the aforesaid Davis-Bacon Act authorizes the President to suspend the provisions of that act in case of a national emergency; and

*Provisions of Davis-Bacon Act suspended.*

*Executive Order 5778 suspended.*

WHEREAS I find that a national emergency exists:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do by this proclamation suspend until otherwise provided the provisions of the Davis-Bacon Act of March 3, 1931, as to all contracts made or to be made, except those entered into prior to June 16, 1933, and those entered into on or subsequent to June 16, 1933, which contain the provisions required by the said act of March 3, 1931.

And I do hereby suspend until otherwise provided the provisions of Executive Order No. 5778, of January 19, 1932, prescribing certain stipulations to be incorporated into public building contracts.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 5<sup>th</sup> day of June, in the year of our Lord nineteen hundred and thirty-four, and of the [SEAL] Independence of the United States of America the one hundred and fifty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

WILLIAM PHILLIPS,

*Acting Secretary of State.*

[No. 2088]

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## TWENTY-FIRST AMENDMENT

TO THE

## CONSTITUTION

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# AMENDMENT TO THE CONSTITUTION, 1933

WILLIAM PHILLIPS

December 5, 1933.

ACTING SECRETARY OF STATE OF THE UNITED STATES OF AMERICA.

*To all to whom these presents shall come, greeting:*

KNOW YE, That the Congress of the United States, at the second session, seventy-second Congress begun and held at the City of Washington on Monday, the fifth day of December, in the year one thousand nine hundred and thirty-two, passed a Joint Resolution in the words and figures as follows: to wit—

Twenty-first Amendment to the Constitution.  
Preamble.

## JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:*

Amendment proposed to the Constitution.  
Vol. 47, p. 1625.

### "ARTICLE—

"SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Eighteenth amendment repealed.

"SEC. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Prohibition of liquor traffic into a State, etc., in violation of its laws.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Inoperative if not ratified in seven years.

And, further, that it appears from official notices received at the Department of State that the Amendment to the Constitution of the United States proposed as aforesaid has been ratified by conventions in the States of Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

States ratifying proposed amendment.

And, further, that the States wherein conventions have so ratified the said proposed Amendment, constitute the requisite three-fourths of the whole number of States in the United States.

Requisite number declared.

Certificate of adoption as part of the Constitution.  
U.S.C., p. 37.

Now, therefore, be it known that I, William Phillips, Acting Secretary of State of the United States, by virtue and in pursuance of Section 160, Title 5, of the United States Code, do hereby certify that the Amendment aforesaid has become valid to all intents and purposes as a part of the Constitution of the United States.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the Department of State to be affixed.

DONE at the City of Washington this fifth day of December, in  
[SEAL] the year of our Lord one thousand nine hundred and  
thirty-three.

WILLIAM PHILLIPS  
*Acting Secretary of State.*

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## **EXECUTIVE AGREEMENTS**

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1751



# EXECUTIVE AGREEMENTS

*Provisional agreement between the United States of America and Bulgaria respecting commercial relations. Effectuated by exchange of notes, signed August 18, 1932; effective August 18, 1932.*

August 18, 1932.

*The American Minister (Shoemaker) to the Bulgarian Minister for Foreign Affairs (Mooshanoff)*

LEGATION OF THE UNITED STATES OF AMERICA,  
Sofia, Bulgaria, August 18, 1932.

MR. MINISTER:

I have the honor to confirm and to make of record by this note the following provisional commercial agreement between our respective governments.

Commercial agreement with Bulgaria.

The United States will accord to goods, the growth, produce or manufacture of Bulgaria and Bulgaria will accord to goods, the growth, produce or manufacture of the United States in all respects and unconditionally the most favored nation treatment. The said treatment shall apply to all goods from whatever place arriving including goods destined for consumption or re-exportation or in transit.

The stipulations of this agreement do not extend to the treatment which is accorded by the United States to the commerce of Cuba under the provisions of the commercial convention concluded between the United States and Cuba on December 11, 1902, or the provisions of any other commercial convention which hereafter may be concluded between the United States and Cuba. Such stipulations moreover do not extend to the treatment which is accorded to the commerce between the United States and the Panama Canal Zone or any dependency of the United States or to the commerce of the dependencies of the United States with one another under existing or future laws.

Nothing in this agreement shall be construed as a limitation of the right of either high contracting party to impose on such terms as it may see fit prohibitions or restrictions of a sanitary character designed to protect human, animal or plant life or regulations for the enforcement of police or revenue laws.

The present agreement becomes operative on this eighteenth day of August, 1932, and shall continue in force until superseded by a definitive treaty of commerce and navigation, or until denounced by one of the two High Contracting Parties by advance notice of three months. If however either party should be prevented by the future

action of its legislature from carrying out the terms of the agreement the obligations thereof shall thereupon lapse.

I avail myself of this opportunity Mr. Minister, to reiterate to Your Excellency the assurance of my highest consideration.

HENRY W. SHOEMAKER.

HIS EXCELLENCY

MR. NICOLAS MOOSHANOFF,  
Minister for Foreign Affairs,  
The Royal Bulgarian Ministry for Foreign Affairs,  
Sofia, Bulgaria.

*The Bulgarian Minister for Foreign Affairs (Mooshanoff) to the American Minister (Shoemaker)*

MINISTÈRE  
DES AFFAIRES ÉTRANGÈRES  
ET DES CULTES

№ 14036/19/II

София, 18 августъ 1932 г.

Господине Министре,

Имамъ честь да потвърдя въ конкретна форма, съ настоящата нота, следната временна търговска спогодба между респективните ни правителства:

България ще признае за стоки—естествени или индустриални произведения на Съединенитѣ Щати и Съединенитѣ Щати ще признаятъ за стоки—естествени или индустриални произведения на България въ всъко отношение и безусловно третирането на найблагоприятстваната страна. Това третиране ще се прилага за всички стоки, отъ което място и да пристигнатъ, включително стоки предназначени за консумация, или преизносъ или за транзитиране.

Уговореното въ настоящето споразумение нѣма да се простира до третирането, което е признато на Съединенитѣ Щати за търговията съ Куба, съгласно разпорежданията на търговската конвенция склучена между Съединенитѣ Щати и Куба на 11 декември 1902 година, или съ разпорежданията на нѣкоя друга търговска конвенция, която би могло следъ това да бѫде склучена между Съединенитѣ Щати и Куба. Същите разпореждания също така нѣма да се прилагатъ до третирането, което е признато за търговията между Съединенитѣ Щати и зоната на Панамския каналъ или всъко друго владение на Съединенитѣ Щати, или за търговията на владенията на Съединенитѣ Щати помежду имъ, съгласно съществуващите или бѫдещите закони.

Нищо въ това споразумение нѣма да се счита като ограничаване правото на нѣкоя отъ високите договорящи страни да налага забрани или ограничения отъ санитаренъ характеръ, каквито намира за необходими, предназначени да защитятъ живота на човѣка, животните или растенията, както и да издава наредби за прилагане законите за полицията или върху дохода.

Настоящето споразумение ще влъзне въ сила на 18 августъ 1932 г. и ще продължава да бъде въ сила до отменяването му съ окончателенъ договоръ за търговия и мореплаване, или до като бъде денонсирано отъ една отъ дветѣ договорящи страни при тримесечно предварително уведомяване. Ако, обаче, нѣкоя отъ страните бъде възпрепятствувана отъ нѣкой бъдещъ актъ на законодателството си да изпълнява условията на споразумението, задълженията по сѫщото ще паднатъ.

Възползвувамъ се отъ случая, Господине Министре, да Ви изкажа високото си почитание.

Н. МУШАНОВ

До Негово Превъзходителство  
Господинъ Х. В. ШУМЕЙКЪРЪ,  
Извѣнреденъ Пратеникъ и Пълномощенъ Министъръ  
на Американскитѣ Съединени Щати,  
София.

[Translation]

MINISTRY  
OF FOREIGN AFFAIRS  
AND OF CULTS

No. 14036/19/II

SOFIA, August 18, 1932.

MR. MINISTER,

I have the honor to confirm in concrete form, by this note, the following provisional commercial agreement between our respective governments:

Confirmation by Bulgaria.

Bulgaria will accord to goods—natural or manufactured products of the United States and the United States will accord to goods—natural or manufactured products of Bulgaria in all respects and unconditionally the most favored nation treatment. This treatment shall apply to all goods, from whatever place arriving, including goods destined for consumption, or reexportation or in transit.

The stipulations of the present agreement shall not extend to the treatment, which is accorded by the United States to the commerce of Cuba, under the provisions of the commercial convention concluded between the United States and Cuba on December 11, 1902, or the provisions of any other commercial convention, which hereafter may be concluded between the United States and Cuba. The same stipulations similarly will not apply to the treatment, which is accorded to the commerce between the United States and the Panama Canal Zone or any dependency of the United States, or to the commerce of the dependencies of the United States with one another, under existing or future laws.

Nothing in this agreement shall be deemed as a limitation of the right of either of the high contracting parties to impose prohibitions or restrictions of a sanitary character, which either party considers necessary, destined to protect human, animal or plant life, or regulations for the enforcement of police or revenue laws.

The present agreement will enter into force on the 18th of August 1932 and shall continue to be in force until superseded by a definitive treaty of commerce and navigation, or until denounced by one of the two Contracting Parties by advance notice of three months. If, however, either of the parties should be prevented by any future action of its legislature from executing the conditions of this agreement, the obligations thereof shall lapse.

I take this opportunity, Mr. Minister, to express my high respect.

N. MOOSHANOFF

To HIS EXCELLENCY

MR. H. W. SHOEMAKER,

*Envoy Extraordinary and Minister Plenipotentiary  
of the United States of America,  
Sofia.*

[No. 41]

*Arrangement between the United States of America and the Netherlands for the reciprocal recognition of load-line certificates. Effectuated by exchange of notes, signed August 26, 1931, November 16, 1931, March 18, 1932, April 22, 1932, June 29, 1932, and September 30, 1932.*

August 26, 1931.

*The Acting Secretary of State (Castle) to the Netherland Chargé d'Affaires ad interim (Van Hoorn)*

DEPARTMENT OF STATE,  
Washington, August 26, 1931.

SIR:

Further reference is made to the Legation's note No. 113, dated January 20, 1931,<sup>1</sup> enclosing copies of the Netherland Shipping Act and Royal Decree and Order in Council relating to load lines for the consideration of this Government in relation to its proposal to the Netherland Government to conclude a reciprocal load line agreement with this Government pending the coming into force of the International Load Line Convention.

Arrangement with  
the Netherlands for the  
reciprocal recognition  
of load line certificates.

Note has been made of the Legation's statement that the laws, rules and regulations pertaining to load lines for vessels now enforced by the Netherland Government are identical with those enforced by the Government of Great Britain, with the sole exception of the rules and regulations pertaining to the carriage of deck cargoes of wood goods.

The competent authorities of this Government consider that the 1906 rules of the British Board of Trade, concerning load lines, are as effective as the United States Load Line Regulations for the determination of load lines on ordinary merchant vessels. The rules of the Netherland Government for determining the load lines of vessels with wood cargoes have been examined by these authorities and have likewise been found to be as effective as the rules contained in the United States Load Line Regulations applicable to vessels carrying wood cargo on deck.

Pending the coming into effect of the International Load Line Convention in the United States and the Netherlands, the competent authorities of the Government of the United States are prepared to recognize the load line marks and the certificate of such marking of merchant vessels of the competent authorities of the Netherland Government as equivalent to their own load line marks and certificates of marking: provided, that the load line marks are in accordance with the load line certificates; that the hull and superstructures of

<sup>1</sup> Not printed.

the vessel certificated have not been so materially altered since the issuance of the certificate, as to affect calculations on which the load line was based, and that alterations have not been made so that the—

- (1) Protection of openings,
- (2) Guard Rails,
- (3) Freeing Ports,
- (4) Means of Access to Crews Quarters,

have made the vessel manifestly unfit to proceed to sea without danger to human life.

It will be understood that on the receipt of a note from you to the effect that the competent authorities of the Netherland Government will give full recognition to the load line marks made and the certificates issued by the competent authorities of this Government and expressing the Netherland Government's concurrence in the foregoing understanding, the reciprocal agreement will become effective.

Accept, Sir, the renewed assurances of my high consideration.

W. R. CASTLE, Jr.

*Acting Secretary of State.*

856.8561/4

MR. L. G. VAN HOORN,  
*Chargé d'Affaires ad interim  
of the Netherlands.*

November 16, 1931. *The Netherland Minister (Van Royen) to the Secretary of State (Stimson)*

No. 3956.

ROYAL NETHERLAND LEGATION.  
*Washington, D.C., 16 November 1931.*

SIR:

Concurrence by the  
Netherlands.

I have the honor to refer to the Department's note of August 26, 1931, No. 856.8561/4, concerning the conclusion of a reciprocal load line agreement between the United States of America and the Netherlands pending the coming into force of the International Load Line Convention.

Pursuant to instructions from the Minister of Foreign Affairs at The Hague, I beg leave to transmit herewith four copies of the Royal Decree of October 8, 1931,<sup>2</sup> published in the Collection of Official Documents ("Staatsblad") No. 414, by which the laws, rules and regulations pertaining to load lines for vessels now enforced by the United States Government are recognized by the Netherlands Government.

<sup>2</sup> See appendix, p. 1763.

I am further requested to inform Your Excellency that the Netherlands Government has designated the following bureaus as private investigation bureaus recognized in accordance with the "Schepen-wet" (Netherlands Merchant Shipping Act of July 1, 1909) :

1. Lloyd's Register of British and Foreign Shipping;
2. British Corporation for the survey and registry of shipping;
3. Bureau Veritas;
4. Germanischer Lloyd;
5. Det Norske Veritas.

I avail myself of this opportunity to renew to you, Sir, the assurance of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE  
THE SECRETARY OF STATE  
*Washington, D.C.*

*The Netherland Minister (Van Royen) to the Secretary of State (Stimson)*

No. 935.

LÉGATION DES PAYS-BAS.  
*Washington, D.C., 18 March 1932.*

SIR:

Pursuant to instructions received from my Government, I have the honor to enclose herewith copy of the Royal Decree of January 29, 1932,<sup>3</sup> (*Official Gazette* No. 25) regarding load line regulations in the Netherlands, purporting modification of the Royal Decree of September 22, 1909, which was amended last by Royal Decree of November 4, 1926 and copy of which was transmitted to Your Excellency by my note of January 20, 1931, No. 113.<sup>4</sup>

According to this new Decree in certain cases a somewhat more lenient rule may be adopted in the Netherlands with regard to load line marks, provided this will not endanger ship and crew and will be in conformity with the minimum requirements as stipulated in the International Load Line Convention of London of July 5, 1930.

I may remark at the same time that the Netherland Government, according to this measure, has already put into force the stipulations of the London Convention before it has been ratified.

Please accept, Sir, the renewed assurances of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE  
THE SECRETARY OF STATE  
*Washington, D.C.*

<sup>3</sup> See appendix, p. 1764.

<sup>4</sup> Not printed.

*The Acting Secretary of State (Castle) to the Netherland Minister  
(Van Royen)*

DEPARTMENT OF STATE  
Washington, April 22, 1932.

SIR:

I have the honor to refer to your note No. 3956, dated November 16, 1931, and likewise to your note No. 935 of March 18, 1932, both of which relate to the proposed load-line agreement between the Governments of the United States and the Netherlands.

It is noted that the Government of the Netherlands has designated the following bureaus as private investigation bureaus recognized in accordance with the "Schepenwet" (Netherlands Merchant Shipping Act of July 1, 1909):

1. Lloyd's Register of British and Foreign Shipping;
2. British Corporation for the survey and registry of shipping;
3. Bureau Veritas;
4. Germanischer Lloyd;
5. Det Norske Veritas.

The United States Government is willing to recognize the load-line certificates issued by the aforementioned classification societies to merchant ships of the Netherlands when they are issued under the authority thus granted by the Netherland Government.

This Government has authorized the marking of load-lines and the issuance of certificates therefor, on American vessels, by the American Bureau of Shipping, the American Committee of Lloyd's Registry of Shipping, and the American representatives of the Bureau Veritas.

The Government of the United States is also willing to recognize the certificates issued by the Netherland Government pursuant to the Royal Decree of January 29, 1932,<sup>5</sup> (*Official Gazette* No. 25) which amends certain regulations under the Shipping Law of the Netherlands so as to allow the assignment of smaller freeboards than hitherto authorized provided it can be done without danger to ship and crew, and that the freeboards so assigned are in accordance with the provisions contained in the International Load Line Convention of July 5, 1930.

Note has been taken of Royal Decree No. 414 of October 8, 1931,<sup>6</sup> by which the provisions in force in the United States in regard to the minimum water-line as established under the law of March 2, 1929, will be recognized by the Netherland Government. It is the view of this Government, therefore, that the agreement for the recog-

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<sup>5</sup> See appendix, p. 1764.  
<sup>6</sup> See appendix, p. 1763.

nition by each Government of the load-lines marked and of the certificates issued under the authority of the other Government, may now be regarded as complete.

Accept, Sir, the renewed assurances of my highest consideration.

W. R. CASTLE, Jr.

*Acting Secretary of State.*

MR. J. H. VAN ROYEN,  
*Minister of the Netherlands.*

*The Netherland Minister (Van Royen) to the Secretary of State  
(Stimson)*

No. 2168.

LÉGATION DES PAYS-BAS.

Washington, D.C., 29 June 1932.

SIR:

Referring to my note of April 27, 1932,<sup>7</sup> No. 1393, regarding the loadline agreement between the Governments of the Netherlands and the United States and to the third paragraph of Your Excellency's letter of April 22, 1932 on the same subject, I have the honor, pursuant to instructions received from The Hague, to inform you, that, according to article 34 of the Royal Decree of 1929, referred to in articles 5, 9 and 17 of the "Schepenwet" (Netherland Merchant Shipping Act) of July 1, 1909 published in the "Staatsblad" (*Official Gazette*) No. 219 of said year,—of which two documents I presented you with a copy by my letter of January 20, 1931,<sup>7</sup> No. 113,—the Netherland load-line certificates are exclusively issued by the "Commissie tot Vaststelling van de minimum-Uitwatering" (Commission for the Determination of loadlines) and never by the classification societies even when recognized in accordance with the "Schepenwet".

These classification bureaux, when recognized by the Netherland Government, act on the subject of the marking of loadlines and the issuance of certificates, only in advisory capacity; however, the advice of the majority of these bureaux is generally followed.

I avail myself of this opportunity to renew to you Sir, the assurances of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE  
THE SECRETARY OF STATE  
*Washington, D.C.*

<sup>7</sup> Not printed.

*The Netherland Minister (Van Royen) to the Secretary of State  
(Stimson)*

No. 3031.

LÉGATION DES PAYS-BAS.

Washington, D.C., 30 September 1932.

SIR:

By note of April 27, 1932,<sup>8</sup> No. 1393, I had the honour to inform Your Excellency that I did not fail to communicate to the Department of Foreign Affairs at The Hague the contents of Your communication of April 22, 1932, regarding the LOADLINE AGREEMENT between the Governments of The Netherlands and the United States.

I am now instructed by the Minister of Foreign Affairs and take pleasure to inform Your Excellency that it is also the view of the Royal Government that said agreement for the recognition by each Government of the loadlines marked and of the certificates issued under the authority of the other Government, may now be regarded as complete.

I avail myself of this opportunity to renew to You, Sir, the assurances of my highest consideration.

J. H. VAN ROYEN

THE HONORABLE  
THE SECRETARY OF STATE  
Washington, D.C.

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<sup>8</sup> Not printed.

## APPENDIX

Appendix.

## STAATSBLEAD VAN HET KONINKRIJK DER NEDERLANDEN.

(No. 414.) BESLUIT van den 8sten October 1931, tot erkenning van de in Netherlands Official  
de Vereenigde Staten van Noord-Amerika geldende bepalingen Gazette.

WIJ WILHELMINA, BIJ DE GRATIE GODS, KONINGIN DER NEDERLANDEN, PRINSES  
VAN ORANJE-NASSAU, ENZ., ENZ., ENZ.

Op de voordracht van Onzen Minister van Waterstaat van 2 October 1931,  
La. L. Afdeeling Vervoer- en Mijnwezen;

Gelet op artikel 67, eerste lid, onder *a*, van de Schepenwet;

Hebben goedgevonden en verstaan:

de in de Vereenigde Staten van Noord-Amerika geldende bepalingen betreffende de minimum-uitwatering, vastgesteld bij de wet van 2 Maart 1929, te erkennen als hebbende in voldoende mate eene overeenkomstige strekking en draagwijdte als de hier te lande betreffende de minimum-uitwatering geldende wettelijke bepalingen.

Ouze Minister van Waterstaat is belast met de uitvoering van dit besluit, hetwelk in het *Staatsblad* zal worden geplaatst.

Het Loo, den 8sten October 1931.

WILHELMINA.

*De Minister van Waterstaat,*

P. J. REYMER.

Uitgegeven den zes en twintigsten October 1931.

*De Minister van Justitie,*

J. DONNER.

[Translation]

## OFFICIAL GAZETTE OF THE KINGDOM OF THE NETHERLANDS.

(No. 414.) DECREE of October 8, 1931, recognizing the minimum freeboard regulations in force in the United States.

WE WILHELMINA, BY THE GRACE OF GOD, QUEEN OF THE NETHERLANDS, PRINCESS OF ORANGE-NASSAU, ETC., ETC., ETC.

On the recommendation of Our Minister of Waterways (Waterstaat) of October 2, 1931, La. L. Transportation and Mining Section, have approved and agreed as follows on the basis of article 67, paragraph 1, under *a*, of the Law on Shipping:

That the provisions in force in the United States in regard to the minimum freeboard, as fixed by the law of March 2, 1929, shall be recognized as having fully the same extent and scope as the provisions of law in force in this country in regard to the minimum freeboard.

Our Minister of Waterways is intrusted with the execution of this decree, which shall be inserted in the *Official Gazette*.

Het Loo, October 8, 1931.

WILHELMINA.

*The Minister of Waterways,*

P. J. REYMER.

Published October 26, 1931.

*The Minister of Justice,*

J. DONNER.

## STAATSBLEAD VAN HET KONINKRIJK DER NEDERLANDEN.

(No. 25.) BESLUIT van den 29sten Januari 1932, tot nadere wijziging van den algemeenen maatregel van bestuur, als bedoeld in de artikelen 5, 9 en 17 van de Schepenwet, vastgesteld bij Koninklijk besluit van 22 September 1909 (*Staatsblad* no. 315), het laatst gewijzigd bij Koninklijk besluit van 4 November 1926 (*Staatsblad* no. 369).

WIJ WILHELMINA, BIJ DE GRATIE GODS, KONINGIN DER NEDERLANDEN, PRINSES VAN ORANJE-NASSAU, ENZ., ENZ., ENZ.

Op de voordracht van Onzen Minister van Waterstaat van 9 Januari 1932, La. G.G., Afdeeling Vervoer- en Mijnwezen;

Den Raad van State gehoord, advies van 19 Januari 1932, no. 21;

Gezien het nader rapport van Onzen voornoemden Minister van 25 Januari 1932, La. F., Afdeeling Vervoer- en Mijnwezen;

Gelet op de artikelen 5, 9 en 17 van de Schepenwet;

Hebben goedgevonden en verstaan:

In den algemeenen maatregel van bestuur, als bedoeld in de artikelen 5, 9 en 17 van de Schepenwet, vastgesteld bij Koninklijk besluit van 22 September 1909 (*Staatsblad* no. 315), het laatst gewijzigd bij Koninklijk besluit van 4 November 1926 (*Staatsblad* no. 369), wordt de volgende wijziging aangebracht:

## ARTIKEL I.

Aan artikel 54 wordt een nieuw lid toegevoegd, luidende:

“3. Door de in artikel 39 bedoelde commissie kan, wanneer dit zonder gevaar voor schip en bemanning kan geschieden, onder door haar te stellen voorwaarden eene geringere uitwatering worden toegestaan dan volgens de bepalingen van dit besluit, mits ten minste voldaan wordt aan de eischen, gesteld bij het op 5 Juli 1930 te Londen gesloten Verdrag betreffende de uitwatering van schepen.”

## ARTIKEL II.

Dit besluit treedt in werking op den tweeden dag na dien der dagteekening van het *Staatsblad*, waarin het is geplaatst.

Onze Minister van Waterstaat is belast met de uitvoering van dit besluit, dat in het *Staatsblad* zal worden geplaatst, en waarvan afschrift zal worden gezonden aan den Raad van State.

's-Gravenhage, den 29sten Januari 1932.

WILHELMINA.

*De Minister van Waterstaat,*

P. J. REYMER.

Uitgegeven den elfden Februari 1932.

*De Minister van Justitie,*

J. DONNER.

[Translation]

## OFFICIAL GAZETTE OF THE KINGDOM OF THE NETHERLANDS.

(No. 25.) DECREE of January 29, 1932, in further amendment of the general administrative regulations under Articles 5, 9, and 17 of the Shipping Law, (promulgated by Royal Decree of September 22, 1909 (*Official Gazette* No. 315), last amended by Royal Decree of November 4, 1926 (*Official Gazette* No. 369)).

WE WILHELMINA, BY THE GRACE OF GOD, QUEEN OF THE NETHERLANDS, PRINCESS OF ORANGE-NASSAU, ETC., ETC., ETC.

On the recommendation of Our Minister of Waterways, of January 9, 1932, La. G.G., Transportation and Mining Division;

The Council of State having been consulted, opinion of January 19, 1932, No. 21;

In view of the further report of Our Minister aforesaid, of January 25, 1932,  
La. F., Transportation and Mining Division;

Referring to articles 5, 9 and 17 of the Shipping Law;

Have approved and agreed:

The following amendment is made to the general administrative regulations mentioned in articles 5, 9 and 17 of the Shipping Law, promulgated by Royal Decree of September 22, 1909 (*Official Gazette* No. 315), last amended by Royal Decree of November 4, 1926 (*Official Gazette* No. 369):

#### ARTICLE I.

A new paragraph is added to article 54, reading as follows:

"3. Whenever it can be done without danger to ship and crew, a smaller freeboard may be permitted by the commission mentioned in article 39, under the stipulations to be made by it, than in accordance with the provisions of this decree, provided that as a minimum the requirements established concerning the freeboard of ships by the convention concluded at London on July 5, 1930, be met."

#### ARTICLE II.

This decree goes into effect on the second day after the date of the *Official Gazette* in which it appears.

Our Minister of Waterways is intrusted with the execution of this decree, which is to be inserted in the *Official Gazette*, and a copy of which shall be sent to the Council of State.

The Hague, January 29, 1932.

WILHELMINA.

*The Minister of Waterways,*  
**P. J. REYMER.**

Published February 11, 1932.

*The Minister of Justice,*  
**J. DONNER.**

[No. 42]

October 22, 1932.

*Arrangement between the United States of America and Belgium for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effectuated by exchange of notes, signed October 22, 1932; effective November 21, 1932.*

*The American Ambassador (Gibson) to the Belgian Minister for Foreign Affairs (Hymans)*

**No. 907**      **EMBASSY OF THE UNITED STATES OF AMERICA,**  
*Brussels, October 22, 1932.*

**MR. MINISTER,**

**Arrangement with Belgium for the reciprocal recognition of certificates of airworthiness for imported aircraft.**

I have the honor to communicate to Your Excellency the text of the arrangement between the United States of America and Belgium, providing for the acceptance by the one country of certificates of airworthiness of aircraft imported from the other country as merchandise, as understood by me to have been agreed to in the negotiations which have just been concluded between our two Governments as follows:

**AN ARRANGEMENT BETWEEN BELGIUM AND THE UNITED STATES OF AMERICA CONCERNING THE ACCEPTANCE BY ONE OF THE PARTIES OF CERTIFICATES OF AIRWORTHINESS FOR AIRCRAFT IMPORTED AS MERCHANDISE FROM THE TERRITORY OF THE OTHER PARTY.**

1. The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Belgium; and to civil aircraft constructed in Belgium and exported to continental United States of America, exclusive of Alaska.
  2. On condition that the agreement be reciprocal, certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Belgium, shall have the same validity as if these certificates had been issued in accordance with the regulations in force on the subject in Belgium. However, the validity of a certificate issued in the United States shall in every case be subject to the issuance by the authorities of the Government of the United States of a special airworthiness certificate for exportation.
  3. This arrangement shall apply to civil aircraft of all categories, including those used for public transportation or for private purposes.
  4. Each of the Contracting Parties may terminate the present arrangement by giving to the other sixty days notice.

This arrangement will come into force thirty days after the date of this note.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

HUGH GIBSON

HIS EXCELLENCY

MONSIEUR PAUL HYMANS,  
*Minister for Foreign Affairs.*

*The Belgian Minister for Foreign Affairs (Hymans) to the American Ambassador (Gibson)* Agreement by Belgium.

Direction P, n° 49/8420.

MINISTÈRE DES AFFAIRES ÉTRANGÈRES,  
Bruxelles, le 22 Octobre 1932.

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur de faire savoir à Votre Excellence que le Gouvernement belge s'engage à observer vis-à-vis du Gouvernement des Etats-Unis d'Amérique les termes de l'arrangement suivant, relatif à la reconnaissance par l'une des Parties des certificats de navigabilité des aéronefs importés comme marchandise du territoire de l'autre Partie:

1) le présent arrangement s'applique aux aéronefs civils construits dans la partie continentale des Etats-Unis d'Amérique, à l'exclusion d'Alaska, et exportés en Belgique, et aux aéronefs civils construits en Belgique et exportés dans la partie continentale des Etats-Unis d'Amérique, à l'exclusion de l'Alaska.

2) Sous condition de réciprocité, les certificats de navigabilité aérienne délivrés par les autorités compétentes du Gouvernement des Etats-Unis pour des aéronefs immatriculés ensuite en Belgique, auront la même valeur que si ces certificats avaient été délivrés conformément aux règlements sur la matière en vigueur en Belgique. Toutefois, la validité d'un certificat délivré aux Etats-Unis sera, dans chaque cas subordonnée à la délivrance par les autorités du Gouvernement des Etats-Unis d'un certificat de navigabilité aérienne spécial pour l'exportation.

3) Le présent arrangement s'applique aux aéronefs civils de toutes catégories, y compris ceux qui sont utilisés à des transports publics ou à des usages privés.

4) Chacune des Parties contractantes pourra mettre fin au présent arrangement en donnant à l'autre un préavis de soixante jours.

Cet arrangement entrera en vigueur dans trente jours, à dater d'aujourd'hui.

Je saisiss cette occasion, Monsieur l'Ambassadeur, de renouveler à Votre Excellence les assurances de ma très haute considération.

HYMANS

SON EXCELLENCE MONSIEUR HUGH GIBSON,  
*Ambassadeur des Etats-Unis d'Amérique,*  
*Bruxelles.*

[Translation]

Department P, No. 49/8420 MINISTRY OF FOREIGN AFFAIRS,  
*Brussels, October 22, 1932.*

MR. AMBASSADOR,

I have the honor to inform Your Excellency that the Belgian Government undertakes to observe, in its relations with the Government of the United States of America, the terms of the following arrangement relative to the recognition by one of the Parties of certificates of airworthiness of aircraft imported as merchandise from the territory of the other Party:

[Here follows the French text of the arrangement, articles 1 to 4, inclusive, which is the equivalent of the English text of these articles contained in the note of October 22, 1932, from the American Ambassador in Brussels to the Minister for Foreign Affairs of Belgium.]

This agreement shall become effective 30 days from to-day's date.

I avail myself of this occasion, Mr. Ambassador, to renew to Your Excellency the assurance of my highest consideration.

HYMANS

HIS EXCELLENCY HUGH GIBSON,  
*Ambassador of the United States of America,*  
*Brussels.*

[No. 43]

*Agreement between the United States of America and France interpreting Article 7 of the Consular Convention concluded February 23, 1853. Effectuated by exchange of notes, signed February 23 and March 4, 1933; effective March 4, 1933.*

February 23, 1933.

*The American Ambassador (Edge) to the French Minister for Foreign Affairs (Paul-Boncour)*

## **EXCELLENCY:**

I have the honor to communicate to Your Excellency my Government's interpretation of Article 7 of the Consular Convention between the United States of America and France concluded February 23, 1853, in relation to the rights of American citizens in France in connection with the French rent laws. It is my understanding that the following interpretation which has prevailed in the past is concurred in by your Government for the future application of the convention.

Agreement with  
France relating to  
rights of American citi-  
zенs in connection with  
the French rent laws.  
Vol. 10, p. 996

The effect of the provisions of Article 7 is to establish the right of citizens of the United States in France to enjoy the same treatment as French citizens in matters relating to the ownership, possession and disposal of property. Accordingly, citizens of the United States are entitled, to enjoy in France the benefit of all the provisions, whether applicable to owners or tenants, contained in the French law of April 1, 1926, as amended by the law of June 29, 1929, governing the relations between lessors and lessees of premises used for residential purposes, and in the law of June 30, 1926, as amended by the law of April 22, 1927, governing the relations between tenants and landlords of premises used for commercial or industrial purposes, notwithstanding Article 11 of the Civil Code and the exceptions or restrictions applicable to foreigners under the aforesaid laws.

I may add that, under the laws of the states of the United States and the District of Columbia, French citizens in the United States enjoy the same treatment as American citizens with regard to the leasing and renting of real property.

I shall be glad to have your confirmation of the agreement thus reached.

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration,

WALTER E. EDGE

HIS EXCELLENCY

## MONSIEUR PAUL-BONCOUR

## *Minister for Foreign Affairs*

Paris

*The French Minister for Foreign Affairs (Paul-Boncour) to the  
American Ambassador (Edge)*

MINISTÈRE  
DES  
AFFAIRES ETRANGERES.

SOUS-DIRECTION  
DES CHANCELLERIES  
ET DU  
CONTENTIEUX.

CONTENTIEUX  
Loyers.

PARIS, le 4 Mars 1933

MONSIEUR L'AMBASSADEUR,

Acceptance by  
France.

Par lettre du 23 du mois dernier vous m'avez fait connaître l'interprétation que votre Gouvernement donne de l'article 7 de la Convention consulaire conclue le 23 février 1853 entre la France et les Etats-Unis d'Amérique, au sujet des droits des citoyens américains en France, relativement à la loi française sur les loyers.

J'ai l'honneur d'informer Votre Excellence que le Gouvernement français accepte, pour l'application future de la Convention, l'interprétation suivante déjà valable dans le passé.

Les dispositions de l'article 7 ont pour effet d'assurer aux citoyens des Etats-Unis résidant en France le droit de jouir du même traitement que les citoyens français en matière de propriété, de possession et de disposition de biens immeubles. En conséquence, les citoyens des Etats-Unis jouiront en France du bénéfice de toutes les dispositions, applicables soit aux propriétaires soit aux locataires, de la loi française du 1er avril 1926, modifiée par celle du 29 juin 1929, régissant les relations entre bailleurs et preneurs de locaux à usage d'habitation, et de la loi du 30 juin 1926, modifiée par celle du 22 avril 1927, régissant les relations entre locataires et propriétaires de locaux à usage commercial ou industriel, nonobstant l'article 11 du Code Civil et les exceptions ou restrictions applicables aux étrangers en vertu des lois précitées.

Je prends acte de ce que, suivant les lois des différents Etats de l'Union et du District de Columbia, les citoyens français résidant aux Etats-Unis jouissent du même traitement que les citoyens américains lorsqu'il s'agit de donner ou de prendre à bail des propriétés immobilières./.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

J. PAUL-BONCOUR.

SON EXCELLENCE

MONSIEUR WALTER EVANS EDGE

*Ambassadeur des Etats-Unis d'Amérique  
à Paris.*

[Translation]

MINISTRY  
FOR  
FOREIGN AFFAIRS.

SUB-DIVISION OF  
CHANCERIES AND  
LEGAL MATTERS.

LEGAL MATTERS.

Rents.

PARIS, March 4, 1933.

MR. AMBASSADOR,

By a letter of the 23d of last month you acquainted me with your Government's interpretation of article 7 of the consular convention concluded on February 23, 1853, between France and the United States of America, dealing with the rights of American citizens in France in relation to the French rent law.

I have the honor to inform Your Excellency that the French Government accepts, for the future application of the convention, the following interpretation, already valid in the past.

The effect of the provisions of article 7 is to secure for citizens of the United States residing in France the right to enjoy the same treatment as French citizens in matters relating to the ownership, possession, and disposal of real property. Consequently, citizens of the United States will enjoy in France the benefit of all the provisions, whether applicable to owners or tenants, of the French law of April 1, 1926, amended by the law of June 29, 1929, governing the relations between lessors and lessees of premises used for residential purposes, and the law of June 30, 1926, amended by the law of April 22, 1927, governing the relations between tenants and landlords of premises used for commercial and industrial purposes, notwithstanding article 11 of the Civil Code and the exceptions or restrictions applicable to foreigners under the aforesaid laws.

I take note that, under the laws of the different States of the United States and of the District of Columbia, French citizens residing in the United States enjoy the same treatment as American citizens in regard to the leasing or renting of real property.

Kindly accept, Mr. Ambassador, the assurances of my very high consideration.

J. PAUL-BONCOUR.

HIS EXCELLENCY

MR. WALTER EVANS EDGE,

*Ambassador of the United States of America,  
Paris.*

[No. 44]

February 8, 11, 12.

*Agreement extending duration of agreement and attached notes of February 17, 1930, respecting Chinese courts in the International Settlement at Shanghai effected by exchanges of notes, signed February 8, 11, and 12, 1933; and a unilateral declaration renewing the unilateral declaration of February 17, 1930, signed, February 8, 1933.*

*The Foreign Signatories to the Chinese Minister for Foreign Affairs (Lo)*

NANKING, 8th February, 1933.

SIR,

Chinese courts in the  
International Settlement at Shanghai.  
Proposal to extend  
agreement respecting.

Vol. 47, p. 2715.

Article 10 of the Agreement signed at Nanking on February 17th, 1930, between the representative of the Chinese Government on the one hand and the representatives of the Brazilian, American, French, United Kingdom, Norwegian and Netherlands Governments on the other hand relating to the Chinese courts in the International Settlement at Shanghai provides as follows:—

“The present Agreement and the attached Notes shall enter into effect on April 1st, 1930, and shall continue in force for a period of three years from that date, provided that they may be extended for an additional period upon mutual consent of the parties thereto.”

It is now proposed, as arranged between us, that the said Agreement and attached Notes shall be extended for a period of three years from April 1st, 1933; that either of the parties thereto may notify the other, six months before the expiration of the period, of their desire to denounce them; and that in case both parties fail to do so in time, the Agreement and attached Notes shall continue in force thereafter, until they are denounced by either of the parties thereto, of which denunciation six months prior notice shall be given to the other party.

We have the honour on behalf of our respective Governments to agree to the proposed arrangements set forth above for the extension of the said Agreement and attached Notes and to request Your Excellency's confirmation thereof.

We avail ourselves of this opportunity to renew to Your Excellency the assurance of our highest consideration.

WILLYS R. PECK  
*Counsellor of Legation  
on behalf of the American Minister*

PHILIPPE BAUDET  
*in the name of the French Minister*

E. M. B. INGRAM  
*on behalf of His Majesty's Minister*

N. AALL  
*Norwegian Chargé d'Affaires a.i.*

THORBECKE  
*Netherlands Minister*

AF. LOPES DE ALMEIDA  
*in the name of the Brazilian Minister.*

HIS EXCELLENCE

DOCTOR LO WEN-KAN,  
*Minister for Foreign Affairs,  
Nanking.*

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*The Chinese Minister for Foreign Affairs (Lo) to the American Minister  
(Johnson)*

No. 577

WAICHIAOPU  
*Nanking, February 8, 1933.*

EXCELLENCE:

I have the honor to acknowledge receipt of your Note of to-day's Confirmation by China. date which reads as follows:

"Article 10 of the Agreement signed at Nanking on February 17th, 1930, between the representative of the Chinese Government on the one hand and the representatives of the Brazilian, American, French, United Kingdom, Norwegian and Netherlands Governments on the other hand relating to the Chinese courts in the International Settlement at Shanghai provides as follows:—

'The present Agreement and the attached Notes shall enter into effect on April 1st, 1930, and shall continue in force for a period of three years from that date, provided that they may be extended for an additional period upon mutual consent of the parties thereto.'

"It is now proposed, as arranged between us, that the said Agreement and attached Notes shall be extended for a period of three years from April 1st, 1933, that either of the parties thereto may notify the other, six months before the expiration of the period, of their desire to denounce them; and that, in case both parties fail to do so in time, the Agreement and attached Notes shall continue in force thereafter until they are denounced by either of the parties thereto, of which denunciation six months prior notice shall be given to the other party.

"We have the honor on behalf of our respective Governments to agree to the proposed arrangements set forth above for the extension of the said Agreement and attached Notes and to request Your Excellency's confirmation thereof."

In reply I have the honor to confirm that the Chinese Government agrees to the proposed arrangements as set forth above.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

LO WEN-KAN.

HIS EXCELLENCY

MR. NELSON T. JOHNSON,

*American Minister to China.*

*American Legation,*

*Peiping.*

*The Foreign Signatories to the Chinese Minister for Foreign Affairs (Lo)*

NANKING, 11th February, 1933.

SIR,

Checking undue delay in civil proceedings.

With reference to our recent conversations we understand that measures are now under contemplation by the Chinese authorities for checking undue delay in civil proceedings, with special reference to matters of appeal and execution of judgment, and that such measures, when adopted, will apply also to the Courts functioning in the International Settlement at Shanghai. We should be grateful for Your Excellency's confirmation of the above understanding.

We avail ourselves of this opportunity to renew to Your Excellency the assurance of our highest consideration.

E. M. B. INGRAM  
on behalf of His Majesty's Minister

N. AALL  
Norwegian Chargé d'Affaires a.i.

THORBECKE  
Netherlands Minister

AF. LOPES DE ALMEIDA,  
in the name of the Brazilian Minister.

WILLYS R. PECK  
Counsellor of Legation  
on behalf of the American  
Minister

PHILIPPE BAUDET  
in the name of the French  
Minister

HIS EXCELLENCY  
DR. LO WEN-KAN,  
Minister for Foreign Affairs,  
Nanking.

*The Chinese Minister for Foreign Affairs (Lo) to the American Minister (Johnson)*

WAICHIAOPU  
Nanking, February 12, 1933.

Confirmation by  
China.

EXCELLENCY:

I have the honor to acknowledge the receipt of your Note of yesterday's date which reads as follows:

"With reference to our recent conversations we understand that measures are now under contemplation by the Chinese authorities for checking undue delay in civil proceedings, with special reference

to matters of appeal and execution of judgment and that such measures, when adopted, will apply also to the Courts functioning in the International Settlement at Shanghai. We should be grateful for Your Excellency's confirmation of the above understanding."

In reply I have the honor to confirm that the above understanding is correct.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

Lo WEN-KAN

HIS EXCELLENCY

MR. NELSON T. JOHNSON,  
*American Minister to China,*  
*American Legation,*  
*Peiping.*

*Unilateral Declaration of the Foreign Signatories to the Chinese Minister  
for Foreign Affairs (Lo)*

NANKING, 8th February, 1933.

SIR,

With reference to the Notes which we have exchanged to-day relating to the extension of the Agreement concerning the Shanghai Courts, we have the honour to renew the declaration made in our Note of February 17th, 1930, as follows:

"We desire to point out that such Agreement cannot in any way affect or invalidate rights guaranteed to the Powers concerned and to their nationals under existing Treaties between such Powers and China and we accordingly reserve our full rights in this regard. We further reserve the right to object to the enforcement in the International Settlement of any future Chinese laws that affect or in any way invalidate the Land Regulations or Byelaws of the International Settlement or that may be considered prejudicial to the maintenance of peace and order within this area."

We avail ourselves of this opportunity to renew to Your Excellency the assurance of our highest consideration.

Unilateral declaration.

Vol. 47, p. 2717.

E. M. B. INGRAM  
*on behalf of His Majesty's Minister*

WILLYS R. PECK  
*Counsellor of Legation*  
*on behalf of the American*  
*Minister*

N. AALL  
*Norwegian Chargé d'Affaires a.i.*  
THORBECKE  
*Netherlands Minister*

PHILIPPE BAUDET  
*in the name of the French*  
*Minister*

AF. LOPES DE ALMEIDA,  
*in the name of the Brazilian Minister.*

HIS EXCELLENCY

DR. LO WEN-KAN,  
*Minister for Foreign Affairs,*  
*Nanking.*

[No. 45]

August 7, 1933.

*Agreement between the United States of America and Haiti concerning Haitianization of the Garde, withdrawal of military forces from Haiti, and financial arrangement. Signed August 7, 1933.*

### SECTION I

#### *Haitianization of the Garde d'Haiti and Withdrawal of Military Forces from Haiti.*

**Haitianization of the  
Garde and withdrawal  
of military forces.**

The undersigned plenipotentiaries, duly authorized by their respective governments, have agreed upon the following Accord:

### ARTICLE I

The American officers now serving with the Garde d'Haiti will be replaced in such a manner that by October 1, 1934, the Garde shall be completely commanded by Haitian officers.

### ARTICLE II

On October 1, 1934, the Garde, under complete command of Haitian officers, will be turned over to a Colonel in active service whom the President of the Republic shall designate as Commandant.

### ARTICLE III

The promotions to be effected until the complete Haitianization of the Garde will be made after examinations held in the presence of the representative of the Government of Haiti in conformity with Article X of the Treaty of September 16, 1915.

### TITRE I

#### *Haitianization de la Garde et desoccupation militaire du territoire de la Republique.*

Les plénipotentiaires, soussignés, dûment autorisés par leurs Gouvernements respectifs, ont convenu de l'arrangement suivant:

### ARTICLE I

Les officiers américains servant actuellement dans la Garde d'Haiti seront remplacés de manière que, au 1er octobre 1934, la Garde soit complètement commandée par des officiers haitiens.

### ARTICLE II

Au 1er octobre 1934, la Garde, entièrement commandée par des officiers haitiens, sera remise à un Colonel en service actif que le Président de la République désignera comme commandant.

### ARTICLE III

Les promotions à faire pendant le cours de l'haitianisation de la Garde seront faites après examens passés en présence d'un représentant du Gouvernement haitien en conformité de l'article X du Traité du 16 septembre 1915.

## ARTICLE IV

To complete the instruction, training and discipline of the Garde the President of Haiti, may, if he consider it desirable, request the President of the United States to designate a Military Mission of not more than seven members among the American officers who have served in Haiti. The powers to be granted to this Mission will be determined by a decree of the President of Haiti. The services of this Mission shall terminate at the request of either party to the agreement upon sixty days notice given by either party.

## ARTICLE V

The withdrawal of the Marine Brigade of the United States and the American Scientific Mission established by the Accord of August 5, 1931, shall commence on October 1, 1934, and shall be completed within thirty days.

## ARTICLE VI

The Government of Haiti, in order to preserve public order, assumes the obligation of maintaining strict discipline in the Garde and of applying for this purpose the present regulations of the Garde d'Haiti.

It will enact a statute which will fix the conditions of appointment, promotion and retirement in the Garde. It will also take all legislative measures recognized as necessary to guarantee public peace and security.

## ARTICLE IV

Pour compléter l'instruction, l'entraînement et la discipline de la Garde, le Président d'Haiti, s'il le juge utile, pourra demander au Président des Etats-Unis de désigner une Mission Militaire de sept membres au plus parmi les officiers américains qui ont servi en Haïti. Les pouvoirs à conférer à cette Mission feront l'objet d'un arrêté du Président d'Haiti. Les services de cette Mission prendront fin à la requête de l'une ou l'autre des deux hautes parties après un préavis de soixante jours donné par la partie requérante à l'autre partie.

## ARTICLE V

Le retrait de la Brigade de Marine des Etats-Unis et de la Mission Scientifique américaine établie par l'Accord du 5 août 1931 commencera le 1er octobre 1934 et devra être complet dans les trente jours qui suivront.

Vol. 47, p. 2659.

## ARTICLE VI

Le Gouvernement d'Haiti pour la garantie de l'ordre public, assume la responsabilité de maintenir dans la Garde une stricte discipline et d'appliquer dans ce but les règlements actuels de la Garde d'Haiti.

Il sera établi un statut légal qui déterminera les conditions de nomination, de promotion et de retraite dans la Garde. Il sera également pris toutes mesures législatives reconnues nécessaires pour garantir la paix et la sécurité publique.

## SECTION II

*Financial Arrangement. Adjustment of financial guarantees stipulated in the Protocol of 1919 and the loan contract of 1922.*

Financial arrangement; adjustment of guarantees.

Beginning January 1, 1934, the services of the Financial Adviser-General Receiver and of the Deputy General Receiver shall be carried on, in fulfillment of the obligations and guarantees undertaken in order to obtain the loan issued in accord with the Protocol of October 3, 1919, by a Fiscal Representative and a Deputy Fiscal Representative, appointed by the President of the Republic upon nomination of the President of the United States, who shall exercise the powers hereinafter set forth.

## ARTICLE VII

As the Customs Revenues constitute the principal pledge to the holders of the bonds of the 1922 loan, the Fiscal Representative will have under his direction, until the complete amortization or the prior refunding of the loan under reference, the Customs Service and the application of the laws relative thereto. In addition he shall inspect the activities of the Internal Revenue Service and make appropriate recommendations for its proper operation; he shall be in charge of the existing Service of Payments, reserve being made of the provisions of Article XII hereafter; he shall maintain adequate records of receipts and disbursements which records shall be open to inspec-

*Post*, p. 1782.

## TITRE II

*Arrangement Financier. Aménagement des Garanties financières stipulées dans le protocole de 1919 et le contrat d'emprunt de 1922.*

## ARTICLE VII

A partir du 1er janvier 1934, les services du Conseiller Financier-Receveur Général et du Receveur Général-adjoint seront transmis à un Représentant Fiscal et à un Représentant Fiscal-adjoint commissioné par le Président d'Haïti, sur la proposition du Président des Etats-Unis d'Amérique. Pour remplir les obligations et les garanties stipulées en vue d'obtenir l'emprunt émis conformément au Protocole du 3 octobre 1919, le Représentant Fiscal et le Représentant Fiscal-adjoint exercent les attributions ci-après déterminées.

## ARTICLE VIII

Les droits de douane constituant le gage principal des porteurs des obligations de l'emprunt de 1922, le Représentant Fiscal aura dans ses attributions, jusqu'au remboursement ou rachat anticipé du dit emprunt, la direction du Service douanier et l'application des lois y relatives. Il inspectera, en outre, toutes les activités de l'Administration générale des Contributions, et fera les recommandations utiles pour la bonne marche de cette administration; il sera chargé du service des Paiements existant, sous réserve des dispositions de l'article XII ci-après; il tiendra pour toutes les recettes et dépenses, des comptes adéquats, lesquels seront ouverts à l'examen et à la

tion and verification by the appropriate authorities; and he shall submit monthly reports of his activities to the Secretary of State for Finance and the Secretary of State of the United States.

In order properly to carry out his duties, the Fiscal Representative shall have such employees and assistants as may appear necessary. The number of Americans so employed shall not exceed eighteen. The President of Haiti, upon the presentation which will be made to him by the Secretary of State for Finance, will commission as of January 1, 1934, the employees occupying positions of authority and trust under the Fiscal Representative and recommended by the latter. Thereafter, any position which may become vacant among the commissioned employees shall be filled by examination, the form and procedure of which shall be determined by an accord between the Secretary of State for Finance and the Fiscal Representative. The successful competitor in such examination shall be recommended for the vacancy and will be commissioned by the President of Haiti. Such commissioned employees may be suspended without pay by the Fiscal Representative, on charges filed with the Secretary of State for Finance and such employee or assistant shall not be reinstated unless the charges shall have been disproved to the satisfaction of the Secretary of State for Finance, and of the Fiscal Representative. Pending the hearing of the charges made, the Fiscal Representative, after a report to the Secretary of State for Finance, may fill the

vérification des autorités compétentes; il fera un rapport mensuel de ses activités au Secrétaire d'Etat des Finances et au Secrétaire d'Etat des Etats-Unis.

En vue de bien remplir les obligations de sa charge, le Représentant Fiscal pourra avoir tous employés et assistants qui pourront paraître nécessaires. Le nombre des américains ainsi employés ne devra pas excéder dix-huit. Le Président d'Haiti, sur la présentation qui lui en sera faite par le Secrétaire d'Etat des Finances, commissionnera à la date du 1er janvier 1934, les employés occupant les postes d'autorité et de confiance dans les services du Représentant Fiscal et recommandés par ce dernier. Dans la suite, tout poste qui pourra devenir vacant parmi les employés commissionnés, sera comblé par la voie d'un concours dont le mode et la procédure seront arrêtés par le Secrétaire d'Etat des Finances d'accord avec le Représentant Fiscal. Le concurrent qui aura triomphé sera recommandé pour le poste vacant et sera commissionné par le Président d'Haiti. Un employé commissionné pourra être suspendu avec perte de salaire, par le Représentant Fiscal, sur des griefs présentés au Secrétaire d'Etat des Finances; un tel employé ne sera pas réintégré, si les charges contre lui ne sont pas réfutées à la satisfaction du Secrétaire d'Etat des Finances et du Représentant Fiscal. Pendant l'enquête sur les griefs avancés, le Représentant Fiscal, après rapport au Secrétaire d'Etat des Finances, pourra combler la va-

vacancy provisionally, if necessary, until the charges have been disproved or a new commission issued.

cance provisoirement, si c'est nécessaire, jusqu'à ce que les charges aient été réfutées ou qu'une nouvelle commission ait été émise.

#### ARTICLE IX

The salaries of the Fiscal Representative and of the Deputy Fiscal Representative shall be made the subject of an accord between the two Governments. These salaries, together with the expenses of the activities of the Fiscal Representative, but excluding the expenses of the Internal Revenue Inspection Service, may not exceed five per centum of customs receipts except by agreement between the two Governments.

#### ARTICLE IX

Les salaires du Représentant Fiscal et du Représentant Fiscal-adjoint feront l'objet d'un accord entre les deux Gouvernements. Ces deux salaires, ainsi que l'ensemble des dépenses des services placés sous les ordres du Représentant Fiscal, non compris les dépenses du Service d'inspection des Recettes internes, ne doivent pas excéder cinq p. 100 des recettes douanières, sauf entente entre les deux Gouvernements.

#### ARTICLE X

The Internal Revenue Service, the personnel of which shall be exclusively Haitian, shall be placed in charge of a Haitian Director under the Secretary of State for Finance.

Nevertheless, if the Fiscal Representative should notify the Secretary of State for Finance and the Director General of Internal Revenue in writing that there is reason to suppose any officer or employee of the Internal Revenue Service is inefficient, or that his action is not correct, such officer or employee shall be suspended, and not reinstated unless the charges shall have been disproved to the satisfaction of the Secretary of State for Finance.

#### ARTICLE X

Un Directeur haitien sera chargé de l'Administration générale des Contributions, sous le contrôle du Secrétaire d'Etat des Finances, et avec un personnel exclusivement haitien.

Néanmoins, si le Représentant Fiscal faisait rapport par écrit au Directeur général des Contributions et au Secrétaire d'Etat des Finances qu'il y avait motif à supposer qu'un fonctionnaire ou employé quelconque de l'administration des Contributions fut inférieur à sa tâche, ou que ses actes ne fussent pas corrects, ce fonctionnaire ou employé sera suspendu de ses fonctions, et il ne sera pas réintégré tout le temps que les charges portées n'auront pas été réfutées à la satisfaction du Secrétaire d'Etat des Finances.

Les dépenses de l'Administration générale des Contributions seront effectuées sur les fonds mis de côté à cette fin, par la

The expenses of the Internal Revenue Service shall be paid from the funds set aside for this purpose by the National Bank

of the Republic of Haiti in accordance with schedules of payments agreed upon between the Secretary of State for Finance and the Fiscal Representative. These expenses shall not exceed ten per centum of internal revenue receipts, and the expenses of the Internal Revenue Inspection Service shall not exceed five per centum of internal revenue receipts. Any sums not required by the Internal Revenue Inspection Service within this allowance shall be made available to the Internal Revenue Service.

#### ARTICLE XI

On and after January 1, 1934, all monies received by or for the Haitian Government shall be deposited in the National Bank of the Republic of Haiti to the credit of the Haitian Government with the exception of the five per centum of customs revenues foreseen in Article IX above and the amounts needed for payments connected with execution of the loan contracts, which amounts shall be credited to the Fiscal Representative. The National Bank of the Republic of Haiti also shall set aside preferentially each month to the credit of the Fiscal Representative the amounts provided in Article X above for the expenses of the Internal Revenue Service and of the Internal Revenue Inspection Service.

In order to assure the maintenance of public order, the monthly allocation for the Garde d'Haiti will be set aside preferentially by the National Bank of the Republic of Haiti for the exclusive use of the Garde from the funds thereafter remaining.

Banque Nationale de la République d'Haiti, et suivant des états de paiement convenus entre le Secrétaire d'Etat des Finances et le Représentant Fiscal. Ces dépenses ne devront pas excéder dix p. 100 des recettes internes; et les dépenses du Service d'inspection des Recettes internes ne devront pas excéder cinq p. 100 des dites recettes. Toute somme non requise pour le Service d'inspection des Recettes internes, dans les limites de l'allocation pour ce Service, sera mise à la disposition de l'Administration générale des Contributions.

#### ARTICLE XI

A partir du 1er janvier 1934, tous les fonds recouvrés pour le Gouvernement haitien seront déposés, au nom du Gouvernement haitien, à la Banque Nationale de la République d'Haiti, à l'exception des cinq p. 100 des recettes douanières prévus à l'article IX ci-dessus et des fonds exigibles pour les paiements afférents au service des contrats d'emprunt, lesquelles valeurs seront portées au crédit du Représentant Fiscal. La Banque Nationale de la République d'Haiti prélèvera et mettra de côté aussi, chaque mois, et portera au crédit du Représentant Fiscal, les valeurs prévues à l'Article X ci-dessus pour les dépenses de l'Administration générale des Contributions et du Service d'inspection des Recettes internes.

En vue d'assurer le maintien de l'ordre public, l'allocation mensuelle de la Garde d'Haiti sera ensuite prélevée et mise de côté par la Banque Nationale de la République d'Haiti et affectée exclusivement à l'usage de la Garde d'Haiti.

*Ante, p. 1780.*

**ARTICLE XII**

All payments of Government funds shall continue to be made by checks prepared by the Service of Payments. The existing arrangement, as agreed upon between the two Governments on August 5, 1931, shall continue to govern this service except that all checks henceforth will be signed by the Secretary of State for Finance, or his delegate, reserve being made in the case of those checks drawn against the funds deposited at the National Bank of the Republic of Haiti to the credit of the Fiscal Representative, which checks shall be signed only by the latter, or his delegate.

**ARTICLE XII**

Tous les paiements sur les fonds du Gouvernement continueront à être effectués par chèques préparés par le Service des Paitements. L'arrangement existant, suivant l'Accord du 5 août 1931, entre les deux Gouvernements, continuera à régir ce service, sauf que tous les chèques seront dorénavant signés par le Secrétaire d'Etat des Finances ou son délégué, réserve faite des chèques tirés sur les fonds déposés à la Banque Nationale de la République d'Haiti au crédit du Représentant Fiscal, lesquels seront signés par ce dernier seulement, ou son délégué.

**ARTICLE XIII**

Each year, by January 31st at the latest, the Fiscal Representative shall present a detailed estimate of receipts for the following fiscal year. Except by special agreement, the budget of the Republic shall not exceed the amount of probable ways and means which the Secretary of State for Finance and the Fiscal Representative shall have agreed upon.

**ARTICLE XIII**

Chaque année au 31 janvier au plus tard, le Représentant Fiscal présentera une estimation détaillée des recettes pour l'année budgétaire suivante. Le budget de la République, à moins d'une entente spéciale, ne devra pas dépasser le montant des voies et moyens probable qui aura été arrêté par le Secrétaire d'Etat des Finances et le Représentant Fiscal.

**ARTICLE XIV**

The Haitian Government may authorize any appropriations whatsoever if unobligated funds are available, or derivable at an early date from the ordinary revenues, to cover such appropriations after setting up such reserves as may appear to the Secretary of State for Finance and the Fiscal Representative to be necessary.

**ARTICLE XIV**

Le Gouvernement haitien est libre d'autoriser tout crédit quel qu'il soit, si des fonds non affectés sont disponibles ou peuvent, à une date rapprochée, être tirés des recettes ordinaires, pour servir de voies et moyens à ce crédit, après la constitution des réserves qui pourront paraître nécessaires au Secrétaire d'Etat des Finances et au Représentant Fiscal.

## ARTICLE XV

In case of a probable budgetary deficit, expenditures must be brought to the level of ways and means, either by reducing expenditures or by the creation of new receipts. In every case, it will not be possible without the accord of the Fiscal Representative to cover a deficit by calling upon the reserve funds of the Government.

## ARTICLE XVI

There shall be included annually in the budget of the Republic the amounts necessary for the regular service of the funded debt and other contractual obligations, as well as two lump sums representing five per centum of customs and five per centum of internal revenues, respectively, for the payment of the expenses of the Fiscal Representative, and those of the Internal Revenue Inspection Service, and finally a lump sum representing ten per centum of internal revenue receipts for the payment of the expenses of the Internal Revenue Service. The balance may be apportioned by the Haitian Government between the budgets of the various departments as it may see fit. If the revenues received in any month shall be insufficient to meet the full debt service and expenses of collection, the Government will make available the amount required to make up the difference.

## ARTICLE XVII

Without the accord of the Fiscal Representative no new financial obligation will be assumed

## ARTICLE XV

En cas de déficit probable au budget, les dépenses devront être ramenées au niveau des voies et moyens, soit par compression des dépenses, soit par création de nouvelles recettes. Toutefois, il ne sera pas possible de couvrir un déficit budgétaire en faisant appel aux fonds de réserve du Gouvernement, sans l'accord du Représentant Fiscal.

## ARTICLE XVI

Il sera inscrit chaque année au Budget de la République les valeurs nécessaires pour le service régulier des obligations de la dette publique et autres obligations contractuelles, ainsi que les deux valeurs globales représentant respectivement les cinq p. 100 des recettes douanières et des recettes internes pour le paiement des dépenses du Représentant Fiscal, et du Service d'inspection des Recettes internes, et aussi une valeur globale représentant dix p. 100 des recettes internes pour le paiement des dépenses de l'Administration générale des Contributions. Le solde restant pourra être réparti par le Gouvernement haitien entre les budgets des divers départements ministériels comme bon lui semblera. Si les revenus recouvrés au cours d'un mois quelconque sont insuffisants pour couvrir le service intégral de la dette et les dépenses de perception, le Gouvernement rendra disponible la valeur requise pour couvrir le déficit.

## ARTICLE XVII

Le Gouvernement haitien n'assumerá aucune nouvelle obligation financière, à moins que les

unless the ordinary revenues of the Republic, after defraying the expenses of the Government, shall be adequate to assure the final discharge of such obligation.

revenus ordinaires de la République, après que les dépenses courantes du Gouvernement auront été défrayées, ne soient suffisants pour assurer l'acquittement de l'obligation et cela d'accord avec le Représentant Fiscal.

#### ARTICLE XVIII

The Government will not dispose of its investments except with the accord of the Fiscal Representative.

#### ARTICLE XVIII

Le Gouvernement haitien ne disposera pas de ses placements, si ce n'est d'accord avec le Représentant Fiscal.

#### ARTICLE XIX

The present finance law shall be the organic act of the Republic so far as concerns the administration of government finances.

#### ARTICLE XIX

La loi de Finances actuelle deviendra une loi organique de la République en ce qui concerne l'administration des Finances du Gouvernement.

#### ARTICLE XX

The Government of Haiti agrees not to reduce the tariff nor to modify the taxes and internal revenues in such a manner as to reduce the total amount thereof without the accord of the Fiscal Representative.

#### ARTICLE XX

Le Gouvernement Haitien convient de ne pas réduire le tarif, ni modifier les taxes internes, de manière à en réduire le rendement total, sans l'accord du Représentant Fiscal.

#### ARTICLE XXI

The Custom Houses of the Republic will have an exclusively Haitian personnel and the title of Director shall be reestablished in lieu of that of Collector. However, inspectors of the Customs Service may be assigned, either temporarily or permanently, to oversee the operation and the strict application of the customs laws.

#### ARTICLE XXI

Les Douanes de la République auront un personnel exclusivement haitien et le titre de Directeur sera rétabli en lieu et place de celui de Collecteur. Cependant des inspecteurs du Service du Représentant Fiscal, pourront y être délégués, soit temporairement, soit à poste fixe, pour en surveiller les opérations et la stricte application des lois douanières.

#### ARTICLE XXII

In case of payment under protest of customs duties or internal revenue taxes, and where restitu-

#### ARTICLE XXII

En cas de paiement sous protêt de droits de douane ou de taxes internes, et au cas où une resti-

tion of such payment is requested, a written claim shall be presented to the competent service within a time limit of thirty working days beginning with the date on which the duties or taxes were paid. If the decision is not accepted, the matter shall be presented to a commission composed of a representative of the Secretary of State for Finance and a representative of the Fiscal Representative.

If there should still be failure to reach an agreement, the claim for restitution shall be decided by legal proceedings, but the State may not be liable for any compensatory or punitive damages.

#### ARTICLE XXIII

In view of the fact that under normal conditions the operation of the sinking fund will result in retirement of the outstanding series of the loan authorized by the law of June 26, 1922, approximately by the year 1944, and inasmuch as any further issue of the loan would necessarily extend the operation of this agreement, to a period beyond that year, which extension is contrary to their desire, it is hereby agreed by both Governments that the loan shall be considered closed and that no additional series shall be issued thereunder.

#### ARTICLE XXIV

In case there should appear to be occasion for judicial proceedings against the Fiscal Representative or his American assistants, the two Governments, in order to avoid possible misunderstand-

tion du montant payé est demandée, une réclamation écrite sera faite au service compétent dans le délai de trente jours ouvrables commençant à la date à laquelle les droits ou les taxes auront été payés. Si la décision n'est pas acceptée, l'affaire sera présentée à une commission formée d'un délégué du Secrétaire d'Etat des Finances et d'un délégué du Représentant Fiscal.

Si le désaccord persiste, la demande de restitution sera décidée par la voie judiciaire, sans que l'Etat puisse être condamné à des dommages-intérêts ou astreintes.

#### ARTICLE XXIII

Vu que, dans les conditions normales, le paiement régulier des fonds d'amortissement aura pour résultat le retrait, vers l'année 1944, des séries en circulation de l'emprunt autorisé par la loi du 26 juin 1922, et vu que l'émission d'une autre série de l'emprunt prolongerait nécessairement, au-delà de cette date, la durée du présent accord, ce qui serait contraire au désir des deux Gouvernements, les deux Gouvernements conviennent que l'emprunt est considéré comme fermé et qu'aucune série additionnelle ne sera émise.

#### ARTICLE XXIV

Dans le cas où l'occasion se présenterait d'exercer une action judiciaire contre le Représentant Fiscal, ou ses assistants américains, les deux Gouvernements, dans le but d'éviter toute possi-

ing, agree to examine each case impartially and to agree upon the legal action which might be appropriate.

bilité de malentendu, conviennent d'examiner impartialement un tel cas, et de se mettre d'accord sur l'action légale appropriée.

#### ARTICLE XXV

The Haitian Government, upon the signature of the present agreement, will issue irrevocable instructions to the National Bank of the Republic of Haiti in order that there may be full and complete execution of the clauses herein respecting the deposit and disbursement of the funds of the Government.

#### ARTICLE XXV

Le Gouvernement haitien, dès la signature du présent Protocole, enverra des instructions irrévocables à la Banque Nationale de la République d'Haiti, afin qu'il y ait exécution pleine et entière des clauses des présentes, relatives au dépôt et à la sortie des fonds du Gouvernement.

#### ARTICLE XXVI

The Haitian Government reserves the right to retire the bonds issued in accord with the Protocol of October 3, 1919, in advance of their due date; and the Government of the United States will not invoke the provisions of Article VI of the Protocol as an obstacle to such retirement before the expiration of the period of fifteen years fixed therein, provided that the Haitian Government is able to make an arrangement for this purpose satisfactory to the holders of the outstanding bonds.

In this case the provisions of this accord shall automatically become null and void and of no effect upon the completion of the funding operation. The Haitian Government in order to hasten the retirement of the loan of 1922 may continue as rapidly as its resources will permit, to buy on the open market bonds of the several series of the said loan.

#### ARTICLE XXVI

Le Gouvernement haitien se réserve le droit de racheter par anticipation les obligations émises en accord avec le Protocole du 3 octobre 1919, dont le Gouvernement des Etats-Unis n'invoquera pas l'article VI comme un obstacle à ce rachat avant l'expiration de la période de quinze ans fixée par ce Protocole, pourvu que le Gouvernement haitien puisse à cet effet faire des arrangements satisfaisants avec les porteurs des obligations en circulation.

En ce cas, les stipulations du présent Accord deviendront automatiquement nulles et non avenues à la réalisation de l'opération de rachat. Le Gouvernement Haitien, en vue de rapprocher l'échéance de l'emprunt de 1922, pourra continuer, au fur et à mesure que ses ressources le lui permettront, à acheter en marché ouvert les titres des diverses séries du dit emprunt.

**ARTICLE XXVII**

Any controversy which may arise between the two Governments on the subject of the clauses of the present accord shall be submitted to arbitration in case it cannot be settled through diplomatic channels, in accordance with the Arbitration Treaty of January 7, 1909 between the two countries.

Signed at Port-au-Prince in duplicate in the English and French languages, this seventh day of August, 1933.

[SEAL]            NORMAN ARMOUR  
[SEAL]            A. BLANCHET

**ARTICLE XXVII**

Toutes les controverses qui pourraient s'élever entre les deux Gouvernements au sujet des clauses du présent accord, seront soumises à l'arbitrage, au cas où elles ne pourraient pas être réglées par la voie diplomatique conformément au Traité d'arbitrage du 7 janvier 1909 entre les deux pays.

Vol. 36, p. 2193.

Fait de bonne foi en double exemplaire en français et en anglais, à Port-au-Prince, le sept août 1933

Signatures.

[No. 46]

September 8, 9, 1933.

*Arrangement between the United States of America and Sweden for air navigation. Effectuated by exchange of notes, signed September 8 and 9, 1933; effective October 9, 1933.*

*The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim (Beck-Friis)*

DEPARTMENT OF STATE,  
Washington, September 8, 1933.

SIR:

Reciprocal arrangement with Sweden for air navigation.

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Sweden for the conclusion of a reciprocal air navigation arrangement between the United States of America and Sweden, governing the operation of civil aircraft of the one country in the other country.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

**Arrangement between the United States of America and Sweden concerning the operation of civil aircraft of the one country in the territory of the other country.**

#### ARTICLE 1

Terms.

Pending the conclusion of a convention between the United States of America and Sweden on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

#### ARTICLE 2

Area affected.

The present arrangement shall apply to continental United States of America, exclusive of Alaska, and to Sweden, including the adjacent territorial waters of the two countries.

#### ARTICLE 3

Aircraft construed.

The term aircraft with reference to one or the other party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such party.

#### ARTICLE 4

Liberty of passage.

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

Regular air routes.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory,

with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to this arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

#### ARTICLE 5

The aircraft of each of the parties to this arrangement, their crews and passengers, shall, while within the territory of the other party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Jurisdiction over aircraft, etc.

Each of the parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either party may proceed from any aerodrome in the territory of the other party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

#### ARTICLE 6

Each of the parties to this arrangement reserves the right to forbid flights over certain areas of its territory which are or may hereafter be designated as prohibited areas.

Reservation of right to forbid flights over designated areas.

Each of the parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other party and the aircraft of any foreign country.

#### ARTICLE 7

**Aircraft over prohibited area.**

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

#### ARTICLE 8

**Identification.**

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other party as the corresponding documents issued or rendered valid by the latter.

Each of the parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that party by the other party.

#### ARTICLE 9

**Radio regulations.**

Aircraft of either of the parties to this arrangement may carry wireless apparatus in the territory of the other party only if a license to install and work such apparatus shall have been issued by the competent authorities of the party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

#### ARTICLE 10

**Transportation of munitions prohibited.**

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either party above the territory of the other party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

## ARTICLE 11

Upon the departure or landing of any aircraft each party may within its own territory and through its competent authorities search the aircraft of the other party and examine the certificates and other documents prescribed. Inspection.

## ARTICLE 12

Aerodromes open to public air traffic in the territory of one of the parties to this arrangement shall in so far as they are under the control of the party in whose territory they are situated be open to all aircraft of the other party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accomodation or other charge, with respect to the aircraft of each party in the territory of the other party, shall in so far as such charges are under the control of the party in whose territory they are made be the same for the aircraft of both parties. Aerodromes.

## ARTICLE 13

All aircraft entering or leaving the territory of either of the parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases. Landings.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each party to this arrangement are accorded the right to enter the territory of the other party subject to compliance with quarantine regulations in force therein.

The parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

## ARTICLE 14

Each of the parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so either between certain points, or close by an aviation customs office in that territory, at such altitude that signals can be received, even though there should be no landing of the aircraft. The contracting parties shall inform each other of the points where the respective frontiers thus may be crossed. Flight restrictions.

It is understood that neither of the courses mentioned in the preceding paragraph exempts aircraft crossing the frontiers of either party from the obligation of landing at a regular airport of entry, as stipulated in Article 13.

## ARTICLE 15

As ballast, only fine sand or water may be dropped from an aircraft. Ballast.

## ARTICLE 16

Permits to unload.

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

## ARTICLE 17

Nationality of aircraft.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the party in whose territory it is duly registered.

## ARTICLE 18

Intercorrespondence of regulations.

The parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

## ARTICLE 19

Duration.

The present arrangement shall be subject to termination by either party upon sixty days' notice given to the other party or by the enactment by either party of legislation inconsistent therewith.

I shall be glad to have you inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,

*Chargé d'Affaires ad interim of Sweden.*

*The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)*

LEGATION OF SWEDEN,  
Washington, D.C., September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of Sweden and the Government of the United States of America for the conclusion of a reciprocal air navigation arrangement between Sweden and the United States of America, governing the operation of civil aircraft of the one country in the other country.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

"Avtal mellan Sverige och Amerikas Förenta Stater angående framförande av i det ena landet hemmahörande civila luftfartyg inom det andra landets område.

## ARTIKEL 1.

I avbidan på avslutandet av en luftfartskonvention mellan Sverige och Amerikas Förenta Stater, skall framförandet av i det ena landet hemmahörande civila luftfartyg inom det andra landets område regleras av följande bestämmelser.

## ARTIKEL 2.

Detta avtal gäller för Sverige och Amerikas Förenta Staters fastlandsområde, med undantag av Alaska, samt för de två ländernas angränsande territorialvatten.

## ARTIKEL 3.

Med luftfartyg förstäs i detta avtal, i vad angår båda de födrags-slutande parterna, varje inom något av de födragsslutande parternas områden i behörig ordning registrerat civilt luftfartyg, däri inbegripet staten tillhöriga luftfartyg, som uteslutande användas i kommersiellt syfte.

## ARTIKEL 4.

Envar av de födragsslutande parterna förpliktar sig att i fredstid medgiva fri passage över sitt område för den andra partens luftfartyg, under förutsättning att i denna överenskommelse stadgade villkor iakttagas.

Det är emellertid överenskommet att upprättande och drivande av regelbunden luftfartsled av lufttransportbolag tillhörande en av parterna inom den andra partens område eller över detta område med eller utan mellanlandning skall vara underkastat föregående samtycke av den andra parten. Detta samtycke skall givas enligt ömsesidighetsprincipen och på begäran av den part, vars nationalitet lufttransportbolaget äger.

Envar av de födragsslutande parterna förpliktar sig att dess tillstånd till lufttrafik över dess område, bedriven av lufttransportbolag tillhörande den andra parten, icke skall vägras av obilliga eller godtyckliga skäl. Tillståndet må givas under förbehåll för särskilda bestämmelser avseende luftfartens säkerhet och allmän ordning.

De födragsslutande parterna medgiva att den tid, under vilken förare, som innehavar giltigt förarcertifikat utfärdat eller förklarat giltigt i någotdera landet, må framföra i detta land registrerat luftfartyg inom det andra landet för icke industriellt eller icke kommersiellt ändamål, skall begränsas till en period icke överstigande sex månader från det föraren inkommit i vederbörande land i ändamål att föra luftfartyg, med mindre föraren före utgången av denna period av regeringen i det land, i vilket han är verksam, erhållit certifikat, som berättigar honom att föra luftfartyg för icke industriellt eller icke kommersiellt ändamål.

## ARTIKEL 5.

Luftfartyg tillhörande någon av de födragsslutande parterna samt dessa luftfartygs besättningar och passagerare skola, medan luftfartyget befinner sig inom den andra partens område, vara underkastade den allmänna lagstiftning, som är i kraft inom detta område, liksom därstädes i kraft varande bestämmelser beträffande lufttrafik i allmänhet, beträffande befordran av passagerare och gods samt beträffande allmän säkerhet och ordning, i den mån dessa bestämmelser gälla för alla främmande luftfartyg samt deras besättningar och passagerare.

Envar av de fördragsslutande staterna skall tillåta att med den andra partens luftfartyg till och från parternas respektive områden dels importeras och exporteras alla varor, som lagligen må importeras och exporteras, dels befordras passagerare, allt dock i den mån tull-, immigrations- och karantänsbestämmelser så medgiva. Sådana luftfartyg, deras passagerare och last skola komma i åtnjutande av samma förmåner som och skola icke påläggas andra eller högre avgifter eller pålagor än dem, som gälla för i internationell lufttrafik använda luftfartyg tillhörande det land, som pålägger nämnda avgifter och pålagor, eller dessa luftfartygs laster och passagerare eller på liknande sätt använda luftfartyg, tillhöriga någon främmande nation och dessa luftfartygs laster och passagerare.

Envar av de fördragsslutande parterna har rätt att förbehålla sina egna luftfartyg handelsluftfart mellan två punkter, av vilka ingendera är belägen i ett främmande land. Dock må luftfartyg, tillhörande en av parterna, framföras från en inom den andra partens område belägen flygplats, som den är berättigad att begagna, till en annan sådan flygplats vare sig i avsikt att urlasta hela eller en del av lasten eller att avlämna en eller flera passagerare eller att taga ombord hela eller en del av lasten eller en eller flera passagerare. Förutsättning för nämnda medgivande är emellertid, att sådan last är upptagen å genomgående fraktsedel och att sådana passagerare innehava genomgående biljetter, utställda för en resa, vars såväl avgångs- som adresstation icke äro belägna å stället, mellan vilka luftfart i behörig ordning förbehållits det egna landets luftfartyg. Luftfartyg, vilket, såsom förut sagts, framföres från en flygplats till en annan, skall åtnjuta alla de förmåner, som stadgas i detta avtal, oaktat flygplatserna äro belägna å orter, mellan vilka luftfart i behörig ordning förbehållits det egna landets luftfartyg.

#### ARTIKEL 6.

Envar av de fördragsslutande parterna förbehåller sig rätt att förbjuda luftfart över vissa områden av dess territorium, vilka äro eller häданefter må bliva betecknade som förbjudna områden.

Envar av de fördragsslutande parterna förbehåller sig rätt att, till följd av undantagsvis föreliggande omständigheter, i fredstid, med omedelbar verkan temporärt inskränka eller förbjuda luftfart över dess territorium under villkor att i förevarande hänseende ingen skillnad göres mellan luftfartyg tillhörande den andra parten och luftfartyg tillhörande annan främmande stat.

#### ARTIKEL 7.

Varje luftfartyg, som finner sig hava inkommit över ett förbjudet område, skall, så snart det blir varse detta, giva den nödsignal, som är föreskriven i de luftfartsbestämmelser, som äro gällande inom det territorium, som överflyges, och skall landa så snart som möjligt å en flygplats belägen inom detta territorium utanför, men så nära som möjligt, det förbjudna området.

#### ARTIKEL 8.

Alla luftfartyg skola föra tydliga och synliga nationalitets- och registreringsmärken, genom vilka de skola kunna igenkännas under luftfärden. Dessutom skola å desamma ägarens namn och adress vara anbragta.

Å alla luftfartyg skola medföras registrerings- och luftvärdighetsbevis samt alla de övriga handlingar, som äro föreskrivna för lufttrafik inom det område, varest luftfartygen äro registrerade.

Medlemmar av besättningen, som ombord å luftfartyg fullgöra ålligganden, för vilka särskilt tillstånd fordras inom det område, varest sådant luftfartyg är registrerat, skola vara försedda med alla de handlingar och särskilt med de certifikat och tillståndsbevis, som föreskrivas genom bestämmelser, som äro gällande inom ifrågavarande område.

Övriga medlemmar av besättningen skola innehava handlingar, utvisande deras ålligganden ombord å luftfartyget samt deras yrke, identitet och nationalitet.

Luftvärdighetsbevis, behörighetscertifikat och tillståndsbevis, som utfärdats eller förklarats giltiga av en av de kontraherande parterna beträffande luftfartyg, registrerat inom dess område, eller beträffande besättningen å sådant luftfartyg, skola hava samma giltighet inom den andra partens område som motsvarande handlingar, vilka utfärdats eller förklarats giltiga av den sistnämnda parten.

Envar av de fördragsslutande parterna förbehåller sig rätt att, i fråga om luftfart inom dess eget område, vägra att erkänna behörighetscertifikat och tillståndsbevis, som utfärdats för en av dess egna medborgare av den andra parten.

#### ARTIKEL 9.

Luftfartyg tillhörande en av de fördragsslutande parterna äger medföra radioapparat inom den andra partens område endast om tillstånd till installerande och begagnande av dylik apparat meddelats av vederbörande myndighet i den stat, inom vars område luftfartyget är registrerat. Begagnande av sådana apparater skall ske i överensstämmelse med de bestämmelser i ämnet, som utfärdats av vederbörande myndigheter i det land, inom vars luftområde luftfartyget framföres.

Dylik apparat må endast brukas av sådana medlemmar av besättningen, som äro i besittning av särskilt för sådant ändamål av regeringen i det område, inom vilket luftfartyget är registrerat, utfärdat certifikat.

De fördragsslutande parterna förbehålla sig rätt att, av säkerhetsskäl, var för sig utfärda bestämmelser beträffande skyldighet att förse luftfartyg med radioapparater.

#### ARTIKEL 10.

Krigsvapen, explosiva varor eller krigsammunition få icke befordras å luftfartyg, tillhörigt endera parten, över den andra partens område eller av besättning eller passagerare, såvida icke tillstånd erhållits av vederbörande myndighet i det land, inom vars luftområde luftfartyget framföres.

#### ARTIKEL 11.

Vid ett luftfartygs avgång eller landning må vardera parten inom sitt eget område och genom dess vederbörande myndigheter visitera den andra partens luftfartyg samt granska certifikat och andra föreskrivna handlingar.

#### ARTIKEL 12.

Flygplatz uppläten för allmän lufttrafik inom en av de fördragsslutande parternas område skall, i den mån den står under kontroll av den part, inom vilkens område den är belägen, vara öppen för alla den andra partens luftfartyg, vilka också skola vara berättigade att erhålla väderlekstjänst, radiotjänst, belysningstjänst samt signaltjänst såväl dag som natt, i den mån de olika slagen av tjänster äro

under kontroll av den part, inom vilkens område de tillhandahållas. Varje taxa å avgifter för landning, hangarplats eller annat bistånd, som tillhandahålls den ena partens luftfartyg inom den andra partens område, skall, i den mån sådana avgifter äro under kontroll av den part, inom vilkens område de tillhandahållas, vara lika för båda parternas luftfartyg.

#### ARTIKEL 13.

Luftfartyg, som ankommer till eller avgår från en av de födrags-slutande parternas område, skall landa å eller starta från en flygplats, uppläten för allmän lufttrafik och betecknad som tullflygplats och varest möjlighet finnes för fullgörande av bestämmelser för immigration och klarering av luftfartyg, och ingen mellanlandning må äga rum mellan gränsen och denna flygplats. I särskilda fall må veder-börande myndighet tillåta luftfartyg att landa å eller starta från annan flygplats, varest möjlighet till tullbehandling, immigration och klarering ordnats. Förbudet mot mellanlandning avser även sådana fall.

Har nödlandning ägt rum utanför flygplats, som omförmåles i första stycket av denna artikel, skola luftfartygets förare, dess besättning och passagerare ställa sig till efterättelse de tull- och immigrations-bestämmelser, som gälla inom det område, varest landningen ägt rum.

Luftfartyg hemmahörande i en av de födragsslutande staterna, skola hava rätt att inkomma å den andra partens område, under förutsättning att de ställa sig till efterättelse därstädes gällande karantänsföreskrifter.

De födragsslutande parterna skola till varandra överlämna för-teckningar å de inom deras områden belägna flygplatser, vilka av dem utsetts till ankomst- och avgångsorter.

#### ARTIKEL 14.

Envar av de födragsslutande parterna förbehåller sig rätt att fordra, att alla luftfartyg, som överskrida gränserna för dess område, skola göra det antingen mellan vissa punkter eller i närheten av en tullflygplats inom dess område, på sådan höjd att signalering kan uppfattas, även om luftfartyget icke där landar. De kontraherande parterna skola underrätta varandra om de punkter, varest, i enlighet med vad sålunda bestämts, deras respektive gränser må passeras.

Det förutsättes, att ingen av de föreskrifter rörande inflygnings-leder, vilka omförmålas i föregående stycke, befriar luftfartyg, som passerar endera partens gränser, från skyldighet att landa å flygplats, som, enligt bestämmelserna i artikel 13, är fastställd såsom inflygningsort.

#### ARTIKEL 15.

Från luftfartyg i luften må ej utkastas annan ballast än fin sand eller vatten.

#### ARTIKEL 16.

Under luftfärd må intet föremål eller ämne annat än ballast lossas eller på annat sätt avlastas, utan att särskilt tillstånd härtill givits av myndighet inom det område, varest sådan lossning eller avlastning skall äga rum.

## ARTIKEL 17.

Då fråga angående nationalitet uppkommer vid tillämpningen av detta avtal, är det överenskommet, att varje luftfartyg skall anses hava det lands nationalitet, inom vars område det är i vederbörlig ordning registrerat.

## ARTIKEL 18.

De födragsslutande parterna skola ömsesidigt meddela varandra de bestämmelser beträffande lufttrafik, som äro gällande inom deras respektive områden.

## ARTIKEL 19.

Detta avtal kan frånträdas av endera parten genom uppsägning sextio dagar i förväg hos den andra parten eller genom att endera parten antager en författning, som strider mot avtalet."

I shall be glad to have Your Excellency inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE

CORDELL HULL,

*Secretary of State,*

*etc. etc. etc.*

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*The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)*

LEGATION OF SWEDEN,  
Washington, D.C., September 9, 1933.

SIR:

I have the honour to acknowledge receipt of Your Excellency's communication of September 8, 1933, and to state that the text given therein of the arrangement between Sweden and the United States of America, governing the operation of civil aircraft of the one country in the other country, meets with the approval of the Swedish Government. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE

CORDELL HULL,

*Secretary of State,*

*etc. etc. etc.*

*The Secretary of State (Hull) to the Swedish Charge d'Affaires ad interim  
(Beck-Friis)*

DEPARTMENT OF STATE,  
Washington, September 9, 1933.

SIR:

Acceptance by the  
United States.

I have the honor to acknowledge receipt of your communication of September 8, 1933, and to state that the text given therein of the arrangement between the United States of America and Sweden, governing the operation of civil aircraft of the one country in the other country, meets with the approval of the Government of the United States. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,  
*Charge d'Affaires ad interim of Sweden.*

[No. 47]

*Arrangement between the United States of America and Sweden concerning pilot licenses to operate civil aircraft. Effectuated by exchange of notes, signed September 8 and 9, 1933; effective October 9, 1933.* September 8 and 9, 1933.

*The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim  
(Beck-Friis)*

DEPARTMENT OF STATE,  
Washington, September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Sweden for the conclusion of a reciprocal arrangement between the United States of America and Sweden providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

Reciprocal arrangement with Sweden concerning pilot licenses to operate civil aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

Arrangement between the United States of America and Sweden concerning the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

#### ARTICLE 1

The present arrangement between the United States of America and Sweden relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

Scope of arrangement.

#### ARTICLE 2

(a) The Office of Civil Aviation (Luftfartsmyndigheten) of Sweden will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Office covering the licensing of pilots.

Issue of licenses.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Swedish nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

#### ARTICLE 3

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Swedish nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

Privileges accorded.

(b) Pilots' licenses issued by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Swedish nationals.

#### ARTICLE 4

**Registration rights denied.**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

#### ARTICLE 5

**Operations reserved to national aircraft.**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

#### ARTICLE 6

**Operations permitted.**

(a) Swedish nationals shall while holding valid pilot licenses issued by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own government made after the pilot has entered Continental United States of America. No person to whom this provision applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in Sweden for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own government made after the pilot has entered Sweden. No person to whom this provision applies shall be allowed to operate civil aircraft in Sweden for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Office of Civil Aviation (Luftfartsmyndigheten) of Sweden in the manner provided for in this arrangement.

**Conditions.**

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement

for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

#### ARTICLE 7

The present arrangement shall be subject to termination by either party upon sixty days' notice given to the other party or by the enactment by either party of legislation inconsistent therewith.

Duration.

I shall be glad to have you inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,

*Chargé d'Affaires ad interim of Sweden.*

*The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)*

LEGATION OF SWEDEN,  
Washington, D.C., September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of Sweden and the Government of the United States of America for the conclusion of a reciprocal arrangement between Sweden and the United States of America providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

Confirmation by  
Sweden.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

“Avtal mellan Sverige och Amerikas Förenta Stater angående föreskrifter rörande utfärdande av det ena landet av certifikat för det andra landets medborgare, berättigande dem att föra civila luftfartyg.

#### ARTIKEL 1.

Detta avtal mellan Sverige och Amerikas Förenta Stater hänför sig till utfärdande av ettdera landet av certifikat för det andra landets medborgare att föra civila luftfartyg. Med uttrycket ‘civilt luftfartyg’ förstas luftfartyg, som brukas för privat, industriellt, kommersiellt eller transport-ändamål.

#### ARTIKEL 2.

a) Svenska luftfartsmyndigheten skall utfärda förarcertifikat för amerikanska undersåtar, sedan det styrkts, att de uppfylla denna myndighets bestämmelser för erhållande av sådana certifikat.

*b)* Amerikas Förenta Staters handelsdepartement skall utfärda förarcertifikat för svenska undersåtar, sedan det styrkts, att de uppfylla detta departements bestämmelser för erhållande av sådana certifikat.

#### ARTIKEL 3.

*a)* Förarcertifikat, som av Amerikas Förenta Staters handelsdepartement utfärdas för svenska undersåtar, skall ge dem samma rättigheter, som tillförsakras genom förarcertifikat, utfärdade för amerikanska medborgare.

*b)* Förarcertifikat, som av svenska luftfartsmyndigheten utfärdas för amerikanska medborgare, skall ge dem samma rättigheter, som tillförsakras genom förarcertifikat, utfärdade för svenska medborgare.

#### ARTIKEL 4.

Förarcertifikat, som för medborgare i det ena landet utfärdas av vederbörande myndighet i det andra landet, skola icke för certifikatets innehavare medföra rätt att få luftfartyg registrerade inom det andra landet.

#### ARTIKEL 5.

Förarcertifikat, som för medborgare i det ena landet utfärdas av vederbörande myndighet i det andra landet, skall icke anses medföra rätt för certifikatets innehavare att framföra luftfartyg i kommersiell luftfart, som helt och hållet äger rum inom sådant område i det andra landet, som reserverats för det egna landets luftfartyg, såvida icke luftfartyget registrerats enligt de lagar, som gälla i det land, som utfärdat förarcertifikatet.

#### ARTIKEL 6.

*a)* Svensk medborgare, som innehavar giltigt förarcertifikat, utfärdat av svenska luftfartsmyndigheten, skall tillåtas att inom Amerikas Förenta Staters fastlandsområde med undantag av Alaska under en period icke överstigande sex månader från det han anlänt till Amerikas Förenta Stater, för icke industriellt eller icke kommersiellt ändamål, föra civilt luftfartyg, registrerat av svenska luftfartsmyndigheten eller civilt luftfartyg registrerat av Amerikas Förenta Staters handelsdepartement. Giltighetstiden för i detta stycke förut omnämnda certifikat skall, i vad angår det i samma stycke lämnade medgivandet, innefatta varje förylse av certifikat, som efter det föraren anlänt till Amerikas Förenta Staters fastlandsområde, verkläses av vederbörande myndighet i förarens hemland. Ingen, å vilken förevarande bestämmelse äger tillämpning, skall tillåtas föra civilt luftfartyg inom Amerikas Förenta Staters fastlandsområde, med undantag av Alaska, för icke industriellt eller icke kommersiellt ändamål under en period av mer än sex månader från det han anlänt till Amerikas Förenta Staters fastlandsområde, såvida han icke, före denna periods utgång, av Amerikas Förenta Staters handelsdepartement erhållit förarcertifikat i den ordning, som är föreskriven i detta avtal.

*b)* Amerikansk medborgare, som innehavar giltigt förarcertifikat, utfärdat av Amerikas Förenta Staters handelsdepartement, skall tillåtas att, inom Sverige, under en period icke överstigande sex månader från det han anlänt till Sverige, föra civilt luftfartyg, registrerat av Amerikas Förenta Staters handelsdepartement eller civilt luftfartyg

registrerat av svenska luftfartsmyndigheten. Giltighetstiden för i detta stycke förut omnämnda certifikat skall, i vad angår det i samma stycke lämnade medgivandet, innefatta varje förnyelse av certifikat, som efter det föraren anlant till Sverige, verkställes av vederbörlig myndighet i förarens hemland. Ingen, å vilken förevarande bestämmelse äger tillämpning, skall tillåtas föra civilt luftfartyg inom Sverige för icke industriellt eller icke kommersiellt ändamål under en period av mer än sex månader från det han anlant till Sverige, såvida han icke, före denna periods utgång, av svenska luftfartsmyndigheten erhållit förarcertifikat i den ordning, som är föreskriven i detta avtal.

c) De villkor, under vilka förare, som innehavar ettdera landets nationalitet, må, i enlighet med bestämmelserna i denna artikel, inom det andra landet föra luftfartyg hemmahörande i sitt hemland, skola vara de, som beträffande utfärdande av förarcertifikat äro stadgade i det luftfartsavtal, som är gällande mellan de födragsslutande parterna; och de villkor, under vilka förare, som innehavar ettdera landets nationalitet, må, i enlighet med bestämmelserna i denna artikel, föra i det andra landet hemmahörande luftfartyg, skola vara i överensstämmelse med fordringarna i det andra landet.

#### ARTIKEL 7.

Detta avtal kan frånträdas av endera parten genom uppsägning sextio dagar i förväg hos den andra parten eller genom att endera parten genomför en lagstiftning, som strider mot avtalet."

I shall be glad to have Your Excellency inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE

CORDELL HULL,

*Secretary of State,  
etc. etc. etc.*

*The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary  
of State (Hull)*

LEGATION OF SWEDEN,  
Washington, D.C., September 9, 1933.

SIR:

I have the honour to acknowledge receipt of Your Excellency's <sup>Acceptance by Swe</sup> communication of September 8, 1933, and to state that the text given therein of the arrangement between Sweden and the United States of America, providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft,

meets with the approval of the Swedish Government. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE  
CORDELL HULL,  
*Secretary of State,*  
*etc. etc. etc.*

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*The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim  
(Beck-Friis)*

DEPARTMENT OF STATE,  
Washington, September 9, 1933.

SIR:

Acceptance by the  
United States.

I have the honor to acknowledge receipt of your communication of September 8, 1933, and to state that the text given therein of the arrangement between the United States of America and Sweden, providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft, meets with the approval of the Government of the United States. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,  
*Chargé d'Affaires ad interim of Sweden.*

[No. 48]

*Arrangement between the United States of America and Sweden for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effectuated by exchange of notes, signed September 8 and 9, 1933; effective October 9, 1933.*

September 8 and 9,  
1933.

*The Secretary of State (Hull) to the Swedish Charge d'Affaires ad interim  
(Beck-Friis)*

DEPARTMENT OF STATE,  
Washington, September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Sweden for the conclusion of a reciprocal arrangement between the United States of America and Sweden providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

Arrangement with  
Sweden for the recip-  
rocal recognition of cer-  
tificates of airworthi-  
ness for imported air-  
craft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

Arrangement between the United States of America and Sweden concerning the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

#### ARTICLE 1

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Sweden; and to civil aircraft constructed in Sweden and exported to continental United States of America, exclusive of Alaska.

Applicability.

#### ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Sweden as if they had been issued under the regulations in force on the subject in Sweden provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities in respect of the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Sweden in respect of aircraft subsequently registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

Validity of certifi-  
cates.

## ARTICLE 3

**Extent of arrangement.** This arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes, and to aircraft engines and spare parts of aircraft and engines.

## ARTICLE 4

**Duration.**

The present arrangement may be terminated by either Government on sixty days' notice given to the other Government. In the event, however, that either Government should be prevented by future action of its legislature from giving full effect to the provisions of this arrangement it shall automatically lapse.

I shall be glad to have you inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,

*Chargé d'Affaires ad interim of Sweden.*

*The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)*

LEGATION OF SWEDEN,  
Washington, D.C., September 8, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of Sweden and the Government of the United States of America for the conclusion of a reciprocal arrangement between Sweden and the United States of America providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

"Avtal mellan Sverige och Amerikas Förenta Stater angående godkännande i det ena landet av luftvärdighetsbevis för luftfartyg, exporterade från det andra landet såsom gods.

## ARTIKEL 1.

Detta avtal har avseende å civila luftfartyg, tillverkade inom Amerikas Förenta Staters fastlandsområde, med undantag av Alaska, och exporterade till Sverige, samt å civila luftfartyg, tillverkade i Sverige och exporterade till Amerikas Förenta Staters fastland, med undantag av Alaska.

## ARTIKEL 2.

Samma giltighet skall tillerkännas luftvärdighetsbevis, utfärdat av vederbörande statsmyndighet i Amerikas Förenta Stater med avseende å luftfartyg, vilket sedermera registreras i Sverige, som om det hade utfärdats i enlighet med i förevarande hänseende i kraft varande bestämmelser i Sverige, under förutsättning att i varje fall ett luftvärdighetsbevis för export utfärdats av amerikansk myndighet med avseende å det särskilda luftfartyget samt under förutsättning att luftvärdighetsbevis, utfärdat av vederbörande myndighet i Sverige med avseende å luftfartyg, som sedermera registreras i Amerikas Förenta Stater, tillerkännes samma giltighet som om det hade utfärdats i enlighet med i förevarande hänseende i kraft varande bestämmelser i Förenta Staterna.

## ARTIKEL 3.

Förevarande avtal omfattar civila luftfartyg av alla slag, inbegripet sådana som användas för yrkesmässig trafik och sådana som användas för privata ändamål samt luftfartygsmotorer och reservdelar till luftfartyg och motorer.

## ARTIKEL 4.

Detta avtal kan frånträdas av endera regeringen genom uppsägning sextio dagar i förväg hos den andra regeringen. Om emellertid endera regeringen skulle genom blivande lagstiftning förhindras att i full omfattning tillämpa bestämmelserna i detta avtal, skall det automatiskt upphöra att gälla."

I shall be glad to have Your Excellency inform me whether the text of the arrangement herein set forth is as agreed to by your Government. If so, it is suggested that it should be understood that the arrangement will become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE

CORDELL HULL,

*Secretary of State,*

*etc. etc. etc.*

*The Swedish Chargé d'Affaires ad interim (Beck-Friis) to the Secretary of State (Hull)*

LEGATION OF SWEDEN,  
Washington, D.C., September 9, 1933.

SIR:

I have the honour to acknowledge receipt of Your Excellency's communication of September 8, 1933, and to state that the text given therein of the arrangement between Sweden and the United States of America, providing for the acceptance by the one country of certificates

Acceptance by  
Sweden.

## CERTIFICATES OF AIRWORTHINESS—SWEDEN.

of airworthiness for aircraft exported from the other country as merchandise, meets with the approval of the Swedish Government. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

With renewed assurances of my highest consideration, I have the honour to remain, Sir,

Your most obedient servant,

JOHAN BECK-FRIIS

THE HONOURABLE  
CORDELL HULL,  
*Secretary of State,*  
*etc. etc. etc.*

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*The Secretary of State (Hull) to the Swedish Chargé d'Affaires ad interim  
(Beck-Friis)*

DEPARTMENT OF STATE,  
Washington, September 9, 1933.

SIR:

I have the honor to acknowledge receipt of your communication of September 8, 1933, and to state that the text given therein of the arrangement between the United States of America and Sweden, providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise, meets with the approval of the Government of the United States. There is agreement to the effect that the arrangement shall become effective on October 9, 1933.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

BARON JOHAN BECK-FRIIS,  
*Chargé d'Affaires ad interim of Sweden.*

[No. 49]

*Arrangement between the United States of America and Norway for air navigation. Effectuated by exchange of notes, signed October 16, 1933; effective November 15, 1933.*

October 16, 1933.

*The Secretary of State (Hull) to the Norwegian Minister (Bachke)*

DEPARTMENT OF STATE,  
Washington, October 16, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Norway for the conclusion of a reciprocal air navigation arrangement between the United States of America and Norway, governing the operation of civil aircraft of the one country in the other country.

Reciprocal arrangement with Norway for operating, etc., aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

Terms.

#### ARTICLE 1

Pending the conclusion of a convention between the United States of America and Norway on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

Tentative provisions.

#### ARTICLE 2

The present arrangement shall apply to the United States of America and Norway and likewise territories and possessions over which they respectively exercise jurisdiction, including territorial waters, with the exception of the Philippine Islands, Hawaiian Islands and the Panama Canal Zone.

Area affected.

#### ARTICLE 3

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

Aircraft construed.

#### ARTICLE 4

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

Liberty of passage.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior

Regular air routes by transport company.

Consent required.

consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to this arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

#### ARTICLE 5

*Jurisdiction over aircraft.*

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the parties to this arrangement may reserve to its own aircraft air commerce as defined in the last paragraph of this article. Nevertheless the aircraft of each party may proceed from any aerodrome in the territory of the other party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination are not both points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that both such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

The term "air commerce" as used in the preceding paragraph shall, with respect to the Parties to this arrangement, be understood to mean:—(a) navigation of aircraft in territory of either Party in furtherance of a business; (b) navigation of aircraft from one place in territory of either Party to another place in that territory in the conduct of a business; (c) the commercial transport of persons or goods between any two points in the territory of either Party.

## ARTICLE 6

Each of the Parties to this arrangement reserves the right to forbid flights over certain areas of its territory which are or may hereafter be designated as prohibited areas.

Restricted areas.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

## ARTICLE 7

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

Aircraft over prohibited areas.

## ARTICLE 8

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

Identification.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

## ARTICLE 9

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Radio regulations.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

## ARTICLE 10

**Transportation of munitions prohibited.** No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

**Inspection.**

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

**Aerodromes, etc.**

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services, and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

**Landings, etc.**

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

**Flight restrictions.**

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

**Ballast.**

As ballast, only fine sand or water may be dropped from an aircraft.

## ARTICLE 15

## ARTICLE 16

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

Permit to unload.

## ARTICLE 17

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

Nationality of aircraft.

## ARTICLE 18

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

Exchange of regulations.

## ARTICLE 19

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

Duration.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on November 15, 1933.

Effective date.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

CORDELL HULL

MR. HALVARD H. BACHKE,  
Minister of Norway.

*The Norwegian Minister (Bachke) to the Secretary of State (Hull)*

ROYAL NORWEGIAN LEGATION,  
Washington, D.C., October 16, 1933.

SIR:

I have the honor to acknowledge the receipt of the note of October 16, 1933 in which Your Excellency communicated to me the text of the reciprocal air navigation arrangement between Norway and the United States of America, governing the operation of civil aircraft of the one country in the other country, as understood by Your Excellency to have been agreed to during the negotiations, now terminated, between the two countries.

Acceptance by Norway.

The text communicated to me by Your Excellency is reproduced below:

## ARTICLE 1

Pending the conclusion of a convention between Norway and the United States of America on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

**ARTICLE 2**

The present arrangement shall apply to Norway and the United States of America and likewise territories and possessions over which they respectively exercise jurisdiction, including territorial waters, with the exception of the Philippine Islands, Hawaiian Islands and the Panama Canal Zone.

**ARTICLE 3**

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

**ARTICLE 4**

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to this arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

**ARTICLE 5**

The aircraft of each of the parties to this arrangement, their crews and passengers, shall, while within the territory of the other party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the parties to this arrangement may reserve to its own aircraft air commerce as defined in the last paragraph of this article. Nevertheless the aircraft of each party may proceed from any aerodrome in the territory of the other party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination are not both points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that both such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

The term "air commerce" as used in the preceding paragraph shall, with respect to the parties to this arrangement, be understood to mean:—(a) navigation of aircraft in territory of either party in furtherance of a business; (b) navigation of aircraft from one place in territory of either party to another place in that territory in the conduct of a business; (c) the commercial transport of persons or goods between any two points in the territory of either party.

#### ARTICLE 6

Each of the Parties to this arrangement reserves the right to forbid flights over certain areas of its territory which are or may hereafter be designated as prohibited areas.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

#### ARTICLE 7

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

#### ARTICLE 8

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other party as the corresponding documents issued or rendered valid by the latter.

Each of the parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that party by the other party.

#### ARTICLE 9

Aircraft of either of the parties to this arrangement may carry wireless apparatus in the territory of the other party only if a license to install and work such apparatus shall have been issued by the competent authorities of the party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

#### ARTICLE 10

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either party above the territory of the other party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

#### ARTICLE 11

Upon the departure or landing of any aircraft each party may within its own territory and through its competent authorities search the aircraft of the other party and examine the certificates and other documents prescribed.

#### ARTICLE 12

Aerodromes open to public air traffic in the territory of one of the parties to this arrangement shall in so far as they are under the control of the party in whose territory they are situated be open to all aircraft of the other party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services, and the day and night signalling services, in so far as the several classes of services are under the control of the party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each party in the territory of the other party, shall in so far as such charges are under the control of the party in whose territory they are made be the same for the aircraft of both parties.

#### ARTICLE 13

All aircraft entering or leaving the territory of either of the parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew

and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each party to this arrangement are accorded the right to enter the territory of the other party subject to compliance with quarantine regulations in force therein.

The parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

#### ARTICLE 14

Each of the parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one party to the other party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the parties to this arrangement may be crossed at any point.

#### ARTICLE 15

As ballast, only fine sand or water may be dropped from an aircraft.

#### ARTICLE 16

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

#### ARTICLE 17

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the party in whose territory it is duly registered.

#### ARTICLE 18

The parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

#### ARTICLE 19

The present arrangement shall be subject to termination by either party upon sixty days notice given to the other party or by the enactment by either party of legislation inconsistent therewith.

I am glad to assure Your Excellency that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with the suggestion of Your Excellency it is understood that the arrangement will come into force on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

H. H. BACHKE

HONORABLE CORDELL HULL,  
*Secretary of State,*  
*Washington, D.C.*

October 16, 1933.

*Arrangement between the United States of America and Norway relating to issue of pilot licenses to operate civil aircraft. Effectuated by exchange of notes, signed October 16, 1933; effective November 15, 1933.*

*The Secretary of State (Hull) to the Norwegian Minister (Bachke)*

DEPARTMENT OF STATE,  
Washington, October 16, 1933.

SIR:

Reciprocal arrangement with Norway providing for issuance of pilot licenses to operate aircraft.

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Norway for the conclusion of a reciprocal arrangement between the United States of America and Norway providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

#### ARTICLE 1

Scope of arrangement.

"Civil aircraft" construed.

The present arrangement between the United States of America and Norway relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

#### ARTICLE 2

Issue of licenses.

(a) The Ministry of Defense of Norway will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Ministry covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Norwegian nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

#### ARTICLE 3

Privileges accorded.

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Norwegian nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Ministry of Defense of Norway to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Norwegian nationals.

## ARTICLE 4

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country. Registration rights denied.

## ARTICLE 5

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses. Operations reserved to national aircraft.

## ARTICLE 6

(a) Norwegian nationals shall while holding valid pilot licenses issued by the Ministry of Defense of Norway be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Ministry of Defense of Norway, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement. Operations permitted.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in Norway for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Ministry of Defense of Norway. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Norway. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Norway for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Ministry of Defense of Norway in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country. Conditions.

## ARTICLE 7

**Duration.**

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.  
[SEAL]

CORDELL HULL

MR. HALVARD H. BACHKE,  
*Minister of Norway.*

*The Norwegian Minister (Bachke) to the Secretary of State (Hull)*

ROYAL NORWEGIAN LEGATION,  
*Washington, D.C., October 16, 1933.*

SIR:

Acceptance by Norway.

I have the honor to acknowledge the receipt of the note of October 16, 1933 in which Your Excellency communicated to me the text of the reciprocal arrangement between Norway and the United States of America providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft, as understood by Your Excellency to have been agreed to during the negotiations, now terminated, between the two countries.

The text communicated to me by Your Excellency is reproduced below:

## ARTICLE 1

The present arrangement between Norway and the United States of America relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

## ARTICLE 2

(a) The Ministry of Defense of Norway will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Ministry covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Norwegian nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

## ARTICLE 3

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Norwegian nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Ministry of Defense of Norway to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Norwegian nationals.

**ARTICLE 4**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

**ARTICLE 5**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

**ARTICLE 6**

(a) Norwegian nationals shall while holding valid pilot licenses issued by the Ministry of Defense of Norway be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Ministry of Defense of Norway, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in Norway for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Ministry of Defense of Norway. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Norway. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Norway for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Ministry of Defense of Norway in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

## ARTICLE 7

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

I am glad to assure Your Excellency that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with the suggestion of Your Excellency it is understood that the arrangement will come into force on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

H. H. BACHKE

HONORABLE CORDELL HULL,  
*Secretary of State,*  
*Washington, D.C.*

[No. 51]

*Arrangement between the United States of America and Norway for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effectuated by exchange of notes, signed October 16, 1933; effective November 15, 1933.*

October 16, 1933.

*The Secretary of State (Hull) to the Norwegian Minister (Bachke)*

DEPARTMENT OF STATE,  
Washington, October 16, 1933.

SIR:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Norway for the conclusion of a reciprocal arrangement between the United States of America and Norway providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

Arrangement with Norway for the reciprocal recognition of certificates of airworthiness for imported aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

#### ARTICLE 1

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Norway; and to civil aircraft constructed in Norway and exported to continental United States of America, exclusive of Alaska.

Applicability.

#### ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States for aircraft subsequently to be registered in Norway as if they had been issued under the regulations in force on the subject in Norway, provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities for the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Norway for aircraft subsequently to be registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

Validity of certificates.

#### ARTICLE 3

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

Extent of arrangement.

## CERTIFICATES OF AIRWORTHINESS—NORWAY.

## ARTICLE 4

**Duration.**

The present arrangement may be terminated by either Government on sixty days' notice given to the other Government. In the event, however, that either Government should be prevented by future action of its legislature from giving full effect to the provisions of this arrangement it shall automatically lapse.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

CORDELL HULL

MR. HALVARD H. BACHKE,  
*Minister of Norway.*

*The Norwegian Minister (Bachke) to the Secretary of State (Hull)*

ROYAL NORWEGIAN LEGATION,  
Washington, D.C., October 16, 1933.

SIR:

Agreement by Norway.

I have the honor to acknowledge the receipt of the note of October 16, 1933 in which Your Excellency communicated to me the text of the reciprocal arrangement between Norway and the United States of America providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise, as understood by Your Excellency to have been agreed to during the negotiations, now terminated, between the two countries.

The text communicated to me by Your Excellency is reproduced below:

## ARTICLE 1

The present arrangement applies to civil aircraft constructed in Norway and exported to continental United States of America, exclusive of Alaska; and to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Norway.

## ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States for aircraft subsequently to be registered in Norway as if they had been issued under the regulations in force on the subject in Norway, provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities for the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Norway for aircraft subsequently to be registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

**ARTICLE 3**

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

**ARTICLE 4**

The present arrangement may be terminated by either Government on sixty days' notice given to the other Government. In the event, however, that either Government should be prevented by future action of its legislature from giving full effect to the provisions of this arrangement it shall automatically lapse.

I am glad to assure Your Excellency that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with the suggestion of Your Excellency it is understood that the arrangement will come into force on November 15, 1933.

Accept, Sir, the renewed assurances of my highest consideration.

[SEAL]

H. H. BACHKE

HONORABLE CORDELL HULL,  
*Secretary of State,*  
*Washington, D.C.*

[No. 52]

November 7, 1933.

*Provisional agreement between the United States of America and the Kingdom of Saudi Arabia in regard to diplomatic and consular representation, juridical protection, commerce and navigation.<sup>1</sup> Signed November 7, 1933.*

Agreement with  
Saudi Arabia in regard  
to diplomatic, etc.  
representation, juridi-  
cal protection, com-  
merce and navigation.

The Undersigned,

Mr. Robert Worth Bingham, Ambassador Extraordinary and Plenipotentiary of the United States of America at London, and Sheikh Hafiz Wahba, Minister of the Kingdom of Saudi Arabia at London, desiring to confirm and make a record of the understanding which they have reached in the course of recent conversations in the names of their respective Governments in regard to diplomatic and consular representation, juridical protection, commerce and navigation, have signed this Provisional Agreement:

ARTICLE I.

The diplomatic representatives of each country shall enjoy in the territories of the other the privileges and immunities derived from generally recognized international law. The consular representatives of each country, duly provided with exequatur, will be permitted to reside in the territories of the other in the places wherein consular representatives are by local laws permitted to reside; they shall enjoy the honorary privileges and the immunities accorded to such officers by general international usage; and they shall not be treated in a manner less favorable than similar officers of any other foreign country.

ARTICLE II.

Subjects of His Majesty the King of the Kingdom of Saudi Arabia in the United States of America, its territories and possessions, and nationals of the United States of America, its territories and possessions, in the Kingdom of Saudi Arabia shall be received and treated in accordance with the requirements and practices of generally recognized international law. In respect of their persons, possessions and rights, they shall enjoy the fullest protection of the laws and authorities of the country, and they shall not be treated in regard to their persons, property, rights and interests, in any manner less favorable than the nationals of any other foreign country.

ARTICLE III.

In respect of import, export and other duties and charges affecting commerce and navigation, as well as in respect of transit, warehousing and other facilities, the United States of America, its territories and possessions, will accord to the Kingdom of Saudi Arabia, and the Kingdom of Saudi Arabia will accord to the United States of America, its territories and possessions, unconditional most-favored nation treatment. Every concession with respect to any

<sup>1</sup> Arabic text not printed.

duty, charge or regulation affecting commerce or navigation now accorded or that may hereafter be accorded by the United States of America, its territories and possessions, or by the Kingdom of Saudi Arabia to any foreign country will become immediately applicable without request and without compensation to the commerce and navigation of the Kingdom of Saudi Arabia and of the United States of America, its territories and possessions, respectively.

#### ARTICLE IV.

The stipulations of this Agreement shall not extend to the treatment which is accorded by the United States of America to the commerce of Cuba under the provisions of the Commercial Convention concluded between the United States and Cuba on December 11, 1902, or the provisions of any other commercial convention which hereafter may be concluded between the United States of America and Cuba. Such stipulations, moreover, shall not extend to the treatment which is accorded to the commerce between the United States of America and the Panama Canal Zone or any of the dependencies of the United States of America or to the commerce of the dependencies of the United States of America with one another under existing or future laws.

Nothing in this Agreement shall be construed as a limitation of the right of either Government to impose, on such terms as it may see fit, prohibitions or restrictions of a sanitary character designed to protect human, animal, or plant life, or regulations for the enforcement of police or revenue laws.

Nothing in this Agreement shall be construed to affect existing statutes of either country in relation to the immigration of aliens or the right of either Government to enact such statutes.

#### ARTICLE V.

The present stipulations shall become operative on the day of signature hereof and shall remain respectively in effect until the entry in force of a definitive treaty of commerce and navigation, or until thirty days after notice of their termination shall have been given by the Government of either country, but should the Government of the United States of America be prevented by future action of its legislature from carrying out the terms of these stipulations, the obligations thereof shall thereupon lapse.

#### ARTICLE VI.

The English and Arabic texts of the present agreement shall be of equal validity.

Signed at London this seventh day of November, one thousand nine hundred and thirty-three.

ROBERT WORTH BINGHAM [SEAL]  
[Signature and seal of SHEIKH HAFIZ WAHBA]

March 17, 1933.  
September 20, 1933.

*Arrangement between the United States of America and the Union of South Africa concerning air navigation. Effectuated by exchange of notes, signed March 17 and September 20, 1933; effective September 20, 1933.*

*The American Minister (Totten) to the Minister of External Affairs  
of the Union of South Africa (Hertzog)*

No. 166.

LEGATION OF THE UNITED STATES OF AMERICA,  
Pretoria, March 17, 1933.

SIR:

Arrangement with  
the Union of South  
Africa concerning air  
navigation.

I have the honor to communicate the text of the arrangement between the United States of America and the Union of South Africa providing for navigation by aircraft of each country in the territory of the other, as understood by me to have been agreed to in the negotiations which have just been concluded between the Legation and your Ministry, as evidenced by your note of March 13, 1933<sup>1</sup> (File No. P.M. 66/1/1).

**AIR NAVIGATION ARRANGEMENT BETWEEN THE UNITED STATES OF  
AMERICA AND THE UNION OF SOUTH AFRICA.**

**ARTICLE 1**

Tentative provisions.

Pending the conclusion of a convention between the United States of America and the Union of South Africa on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

**ARTICLE 2**

Area affected.

The present arrangement shall apply to Continental United States of America, exclusive of Alaska, and to the Union of South Africa, including the adjacent territorial waters of the two countries.

**ARTICLE 3**

Aircraft construed.

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

**ARTICLE 4**

Freedom of passage.

Each of the Parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other Party, provided that the conditions set forth in the present arrangement are observed.

Regular air routes by  
transport company.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the Parties within the territory of the other Party or across the said

<sup>1</sup> Not printed.

territory, with or without intermediary landing, shall be subject to the prior consent of the other Party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Consent required.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

Limit on pilot's licenses.

#### ARTICLE 5

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory, as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Jurisdiction over aircraft.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

#### ARTICLE 6

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Restricted areas.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

#### ARTICLE 7

Conduct if accidentally entering.

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

#### ARTICLE 8

Identification of aircraft.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificate of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

#### ARTICLE 9

Radio regulations.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

#### ARTICLE 10

Transportation of munitions prohibited.

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

**ARTICLE 11**

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

Inspection, etc.

**ARTICLE 12**

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

Aerodromes, etc.

**ARTICLE 13**

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

Landings, etc.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

**ARTICLE 14**

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

Flight restrictions.

**ARTICLE 15**

As ballast, only fine sand or water may be dropped from an aircraft.

Ballast.

**ARTICLE 16**

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

Unloading permits.

## ARTICLE 17

Registry.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

Regulations to be exchanged.

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

Duration of arrangement.

The present arrangement shall be subject to termination by either Party upon sixty days notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

Ratification.

If you inform me that it is the understanding of your Government that the arrangement agreed upon is as herein set forth, the arrangement will be considered to be operative from the date of the receipt of your note so advising me.

I have the honor to be, Sir,

Your obedient servant,

RALPH J. TOTTEN,  
*Envoy Extraordinary and Minister Plenipotentiary of the United States of America.*

THE HONORABLE

J. B. M. HERTZOG,

*Minister for External Affairs,  
Pretoria.*

*The Minister of External Affairs of the Union of South Africa  
(Hertzog) to the American Minister (Totten)*

P.M. 66/1/1

DEPARTMENT OF EXTERNAL AFFAIRS,  
*Pretoria, 20th September, 1933.*

SIR,

Acceptance by the  
Union of South Africa.

I have the honour to refer to your letter No. 166 of the 17th March last regarding the arrangement between the Union of South Africa and the United States of America providing for navigation by aircraft of each country in the territory of the other and to inform you that His Majesty's Government in the Union of South Africa are in accord with the terms of the arrangement which is, word for word, as follows:—

“AIR NAVIGATION ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOUTH AFRICA.

## ARTICLE 1.

Pending the conclusion of a convention between the United States of America and the Union of South Africa on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions.

**ARTICLE 2.**

The present arrangement shall apply to Continental United States of America, exclusive of Alaska, and to the Union of South Africa, including the adjacent territorial waters of the two countries.

**ARTICLE 3.**

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

**ARTICLE 4.**

Each of the Parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other Party, provided that the conditions set forth in the present arrangement are observed.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the Parties within the territory of the other Party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other Party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

**ARTICLE 5.**

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory, as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may

proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers, or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

#### ARTICLE 6.

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

#### ARTICLE 7.

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

#### ARTICLE 8.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificate of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

**ARTICLE 9.**

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

**ARTICLE 10.**

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

**ARTICLE 11.**

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

**ARTICLE 12.**

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under the control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation, or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

**ARTICLE 13.**

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

#### ARTICLE 14.

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6, the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

#### ARTICLE 15.

As ballast, only fine sand or water may be dropped from an aircraft.

#### ARTICLE 16.

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

#### ARTICLE 17.

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

#### ARTICLE 18.

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

#### ARTICLE 19.

The present arrangement shall be subject to termination by either Party upon sixty days notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith."

It is further agreed that the arrangement will be operative as from the date of this note.

I have the honour to be, Sir,  
Your obedient servant,

J. B. M. HERTZOG.  
*Minister of External Affairs.*

The ENVOY EXTRAORDINARY AND  
MINISTER PLENIPOTENTIARY  
OF THE UNITED STATES OF AMERICA,  
*Pretoria.*

[No. 54]

*Arrangement between the United States of America and the Union of South Africa governing pilot licenses to operate civil aircraft. Effectuated by exchange of notes, signed March 17 and September 20, 1933. Effective September 20, 1933.*

March 17, 1933.  
September 20, 1933.

*The American Minister (Totten) to the Minister of External Affairs  
of the Union of South Africa (Hertzog)*

No. 167. LEGATION OF THE UNITED STATES OF AMERICA,  
*Pretoria, March 17, 1933.*

SIR:

I have the honor to communicate the text of the arrangement between the United States of America and the Union of South Africa providing for the issuance by each country of licenses to nationals of the other country authorizing them to pilot civil aircraft, as understood by me to have been agreed to in the negotiations which have just been concluded between the Legation and your Ministry, as evidenced by your note of March 13, 1933<sup>1</sup> (File No. P.M. 66/1/1).

Arrangement with  
Union of South Africa  
governing pilot licenses  
to operate civil aircraft.

**ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE  
UNION OF SOUTH AFRICA PROVIDING FOR THE ISSUANCE BY EACH  
COUNTRY OF LICENSES TO NATIONALS OF THE OTHER COUNTRY  
AUTHORIZING THEM TO PILOT CIVIL AIRCRAFT**

## **ARTICLE 1**

The present arrangement between the United States of America and the Union of South Africa relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

## **ARTICLE 2**

(a) The Department of Defence of the Union of South Africa will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to nationals of the Union of South Africa upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

## **ARTICLE 3**

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to nationals of the Union of South Africa shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

<sup>1</sup> Not printed.

(b) Pilots' licenses issued by the Department of Defence of the Union of South Africa to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to nationals of the Union of South Africa.

#### ARTICLE 4

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

#### ARTICLE 5

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

#### ARTICLE 6

(a) Nationals of the Union of South Africa shall while holding valid pilot licenses issued by the Department of Defence of the Union of South Africa be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Department of Defence of the Union of South Africa, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in the Union of South Africa for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Department of Defence of the Union of South Africa. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered the Union of South Africa. No person to whom this paragraph applies shall be allowed to operate civil aircraft in the Union of South Africa for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Department of Defence of the Union of South Africa in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country,

as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

#### ARTICLE 7

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

If you inform me that it is the understanding of your Government that the arrangement agreed upon is as herein set forth, the arrangement will be considered to be operative from the date of the receipt of your note so advising me.

I have the honor to be, Sir,  
Your obedient servant,

RALPH J. TOTTEN,  
*Envoy Extraordinary and Minister Plenipotentiary of the United States of America.*

THE HONORABLE  
J. B. M. HERTZOG,  
*Minister for External Affairs,  
Pretoria*

*The Minister of External Affairs of the Union of South Africa  
(Hertzog) to the American Minister (Totten)*

P.M. 66/1/1

DEPARTMENT OF EXTERNAL AFFAIRS,  
*Pretoria, 20th September, 1933.*

SIR,

I have the honour to refer to your letter No. 167 of the 17th March last regarding the proposed arrangement between the Union of South Africa and the United States of America providing for the issuance by each country of licences to Nationals of the other country authorizing them to pilot civil aircraft, and to inform you that His Majesty's Government in the Union of South Africa are in accord with the terms of the arrangement which is, word for word, as follows:—

Concurrence by  
Union of South Africa.

**“ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOUTH AFRICA PROVIDING FOR THE ISSUANCE BY EACH COUNTRY OF LICENSES TO NATIONALS OF THE OTHER COUNTRY AUTHORIZING THEM TO PILOT CIVIL AIRCRAFT.”**

#### ARTICLE 1.

The present arrangement between the United States of America and the Union of South Africa relates to the issuance by each country of licenses to nationals of the other country for the piloting of

## PILOT LICENSES—AIRCRAFT—SOUTH AFRICA.

civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

**ARTICLE 2.**

(a) The Department of Defence of the Union of South Africa will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to nationals of the Union of South Africa upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

**ARTICLE 3.**

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to nationals of the Union of South Africa shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Department of Defence of the Union of South Africa to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to nationals of the Union of South Africa.

**ARTICLE 4.**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

**ARTICLE 5.**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses.

**ARTICLE 6.**

(a) Nationals of the Union of South Africa shall while holding valid pilot licenses issued by the Department of Defence of the Union of South Africa be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Department of Defence of the Union of South Africa, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot license from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall while holding valid pilot licenses issued by the United States Department of Commerce be permitted to operate in the Union of South Africa for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Department of Defence of the Union of South Africa. The period of validity of the licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license by the pilot's own Government made after the pilot has entered the Union of South Africa. No person to whom this paragraph applies shall be allowed to operate civil aircraft in the Union of South Africa for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's license from the Department of Defence of the Union of South Africa in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licenses; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

#### ARTICLE 7.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith."

It is further agreed that the arrangement will be operative as from the date of this note.

I have the honour to be, Sir,

Your obedient Servant,

J. B. M. HERTZOG.  
*Minister of External Affairs.*

The ENVOY EXTRAORDINARY AND  
MINISTER PLENIPOTENTIARY  
OF THE UNITED STATES OF AMERICA,  
*Pretoria.*

[No. 55]

August 24, 1933.  
January 9, 1934.

*Arrangement between the United States of America and the Irish Free State, providing relief from double income tax on shipping profits. Effectuated by exchange of notes, signed August 24, 1933, and January 9, 1934.*

*The Chargé d'Affaires ad interim of the Irish Free State (Macaulay) to the Secretary of State*

IRISH FREE STATE LEGATION,  
Washington, D.C., 24th August, 1933.

SIR:

Double income tax  
on shipping profits.

Reciprocal exemptions,  
United States  
and Irish Free State.

I am requested by my Government to bring to the notice of the Government of the United States the provisions of Section 10 of the Finance Act, 1932 (No. 20 of 1932) which section reads as follows:

“10.—Subject to the provisions of this section, exemption shall be granted from income tax (including super-tax, or sur-tax, as the case may be) in respect of so much of the income of a citizen of the United States of America not resident in the Irish Free State or of a corporation organised in the United States of America as is derived from the operation of a ship or ships documented under the laws of the United States of America.”

I have the honour to be, Sir,  
Your obedient servant,

W J B MACAULAY  
*Chargé d'Affaires ad interim*

Honourable CORDELL HULL  
*The Secretary of State of the United States  
Washington, D.C.*

*The Acting Secretary of State to the Minister of the Irish Free State  
(MacWhite)*

DEPARTMENT OF STATE,  
Washington, January 9, 1934.

SIR:

Agreement by  
United States.

In a note dated August 24, 1933, Mr. Macaulay, as Chargé d'Affaires *ad interim*, brought to the notice of the Government of the United States the provisions of Section 10 of the Irish Free State Finance Act of 1932, which provides for the relief of American steamship owners from double income tax on shipping profits.

The text of Section 10 of the above law was brought to the attention of the Secretary of the Treasury, with the request that he inform the Department of State whether the Irish Free State satisfied the equivalent exemption requirements of Sections 212(b) and 231(b).

of the United States Revenue Act of 1932. I have pleasure in informing you that I am now in receipt of a letter from the Acting Secretary of the Treasury dated December 14, 1933, which reads in part as follows:

“In view of the fact that the Irish Free State, under the provision of law quoted above, exempts from income tax so much of the income of a citizen of the United States not resident in the Irish Free State or of a corporation organized in the United States as is derived from the operation of a ship or ships documented under the laws of the United States, it is the opinion of this Department that the Irish Free State meets the reciprocal exemption provisions of sections 212(b) and 231(b) of the Revenue Act of 1932. The income of a non-resident alien individual and of a foreign corporation which consists exclusively of earnings derived from the operation of a ship or ships documented under the laws of the Irish Free State is, therefore, not required to be included in gross income and is exempt from income tax under the provisions of the Revenue Act of 1932. The exemption accorded herein is effective April 6, 1932, the beginning of the first income-tax taxable year to which Section 10 of the Finance Act of 1932 is applicable.”

It will be observed that the Acting Secretary of the Treasury holds that in view of the fact that the Irish Free State, under the provisions of Section 10 of the Irish Free State Finance Act of 1932, exempts from income tax so much of the income of a citizen of the United States not resident in the Irish Free State or of a corporation organized in the United States as is derived from the operation of a ship or ships documented under the laws of the United States, the Irish Free State has satisfied the equivalent exemption provisions of Sections 212(b) and 231(b) of the United States Revenue Act of 1932. The exemption accorded to steamship owners of the Irish Free State under the above ruling of the Acting Secretary of the Treasury is effective as of April 6, 1932, the beginning of the first income-tax taxable year to which Section 10 of the Irish Free State Finance Act of 1932 is applicable.

Accept, Sir, the renewed assurances of my highest consideration.

For the Acting Secretary of State:

R. WALTON MOORE

Mr. MICHAEL MACWHITE,  
*Minister of the Irish Free State.*

[No. 56]

April 24, 1934.*Protocol between the United States of America and Mexico relative to general claims. Signed April 24, 1934; effective April 24, 1934.*

Protocol with Mexico relative to General Claims Commission.

**PROTOCOL RELATIVE TO CLAIMS PRESENTED TO THE GENERAL CLAIMS COMMISSION, ESTABLISHED BY THE CONVENTION OF SEPTEMBER 8, 1923.**

**PROTOCOLO RELATIVO A LAS RECLAMACIONES PRESENTADAS ANTE LA COMISION GENERAL DE RECLAMACIONES CREADA POR LA CONVENCIÓN DE 8 DE SEPTIEMBRE DE 1923.**

Plenipotentiaries.

Josephus Daniels, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Government of Mexico, and José Manuel Puig Casauranc, Secretary for Foreign Affairs of the United Mexican States, duly authorized, have agreed on behalf of their two Governments to conclude the following Protocol:

Whereas, It is the desire of the two Governments to settle and liquidate as promptly as possible those claims of each Government against the other which are comprehended by, and which have been filed in pursuance of, the General Claims Convention between the two Governments, concluded on September 8, 1923;

Whereas, It is not considered expedient to proceed, at the present time, to the formal arbitration of the said claims in the manner provided in that Convention;

Whereas, It is considered to be conducive to the best interests of the two Governments, to preserve the *status quo* of the General Claims Convention above men-

Josephus Daniels, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América ante el Gobierno de México, y José Manuel Puig Casauranc, Secretario de Relaciones Exteriores de los Estados Unidos Mexicanos, debidamente autorizados, convienen en firmar, en nombre de sus respectivos Gobiernos, el siguiente Protocolo:

Considerando que es el deseo de ambos Gobiernos arreglar y liquidar, tan pronto como sea posible, las reclamaciones de cada uno de los dos Gobiernos en contra del otro, comprendidas en la Convención General de Reclamaciones celebrada el 8 de septiembre de 1923 entre los dos Gobiernos y registradas de acuerdo con la misma;

Considerando que no se juzga viable, en los momentos actuales, proceder al arbitraje formal de dichas reclamaciones mediante el procedimiento que establece la Convención mencionada;

Considerando que se juzga conducente para los mejores intereses de ambos Gobiernos conservar el “*status quo*” de la Convención General de Reclamaciones

tioned and the Convention extending the duration thereof, which latter was concluded on June 18, 1932, as well as the agreement relating to agrarian claims under Article I of the additional Protocol of June 18, 1932;

Whereas, It is advisable to endeavor to effect a more expeditious and more economical disposition of the claims, either by means of an *en bloc* settlement or a more simplified method of adjudication, and

Whereas, In the present state of development of the numerous claims the available information is not such as to permit the two Governments to appraise their true value with sufficient accuracy to permit of the successful negotiation of an *en bloc* settlement thereof at the present time;

Therefore, It is agreed that:

First.—The two Governments will proceed to an informal discussion of the agrarian claims now pending before the General Claims Commission, with a view to making an adjustment thereof that shall be consistent with the rights and equities of the claimants and the rights and obligations of the Mexican Government, as provided by the General Claims Protocol of June 18, 1932. Pending such discussion no agrarian claims will be presented to the Commissioners referred to in Clause Third nor, in turn, to the Umpire referred to in Clause Fifth of this Protocol; but memorials of cases not yet memorial-

arriba mencionada y de la Convención de Prórroga celebrada el 18 de junio de 1932, así como de lo convenido para las reclamaciones agrarias en el Artículo I del Protocolo adicional de 18 de junio de 1932;

Considerando que conviene intentar la resolución más rápida y más económica de las reclamaciones, ya sea por medio de un arreglo global o de un método más simplificado para fallarlas, y

Considerando que en el presente estado de tramitación de las numerosas reclamaciones, los datos de que se dispone son de tal naturaleza que no permiten a los dos Gobiernos estimar el verdadero valor de ellas con exactitud suficiente para permitir la negociación con éxito de un arreglo global de las mismas en los momentos actuales;

Por tanto, queda convenido que:

Primero.—Los dos Gobiernos procederán a discutir, de manera informal, las reclamaciones agrarias pendientes en la actualidad ante la Comisión General de Reclamaciones, con el propósito de llegar a un arreglo con respecto a ellas, en consonancia con la equidad y con los derechos de los reclamantes y con los derechos y obligaciones del Gobierno Mexicano, según lo establecido por el Protocolo de la Comisión General de 18 de junio de 1932. Mientras esté pendiente esta discusión, no se presentarán reclamaciones agrarias a los Comisionados a que se refiere la Cláusula Tercera, ni, en su caso, al Arbitro a que alude

Proceedings.

ized may be filed in order to regularize the awards made upon the agreed adjustments.

*Protocol to apply to agrarian claims only.*

Consequently, the subsequent provisions of this Protocol shall apply to agrarian claims only insofar as they do not conflict with the status thereof, as exclusively fixed by the terms of the agreed Article I of the additional protocol to the extension of the General Claims Convention, signed June 18, 1932.

*Procedure to be followed.*

Second.—The two Governments shall proceed, in accordance with the provisions of clause Sixth below, promptly to complete the written pleadings and briefs in the remaining unpledged and incompletely pleaded cases.

*Each party to appoint a Commissioner.*

*Qualifications of.*

Third.—Each Government shall promptly designate, from among its own nationals, a Commissioner, who shall be an outstanding jurist and whose function it shall be to appraise, on their merits, as rapidly as possible, the claims of both Governments which have already been fully pleaded and briefed and those in which the pleadings and briefs shall be completed in accordance herewith.

*Reconciling appraisals.*

Fourth.—Six months before the termination of the period herein agreed upon for the completion of the pleadings and briefs referred to in Clause Sixth or at an earlier time should they

la Claúsula Quinta de este Protocolo; pero podrán presentarse Memoriales de los casos en que aun no se hayan presentado, con objeto de formalizar los fallos que se dicten sobre los arreglos propalados.

Por consiguiente, las disposiciones subsecuentes de este Protocolo serán aplicables a las reclamaciones agrarias únicamente en lo que no se opongan a la situación de dichas reclamaciones, como está fijada exclusivamente por los términos del Artículo I pactado en el Protocolo adicional a la Convención de Prórroga de la Convención General de Reclamaciones, firmada en 18 de junio de 1932.

Segundo.—Los dos Gobiernos, de acuerdo con las disposiciones de la Cláusula Sexta de este Protocolo, procederán desde luego a completar los escritos y alegatos en los casos en que éstos no se hayan presentado o estén incompletos.

Tercero.—Cada uno de los dos Gobiernos designará en breve plazo a un Comisionado de su propia nacionalidad, quien deberá ser un destacado jurisconsulto y cuyas funciones serán las de estimar en cuanto a sus fundamentos y tan rápidamente como sea posible, las reclamaciones de ambos Gobiernos, en las cuales hayan sido completados todos los escritos y alegatos, así como aquellas en que hayan de completarse tales escritos y alegatos según lo dispuesto por este Protocolo.

Cuarto.—Seis meses antes de vencer el plazo para completar los escritos y alegatos a que se refiere la Cláusula Sexta, o en alguna fecha anterior, en caso de que así lo convengan, los referidos

so agree, the said Commissioners shall meet, at a place to be agreed upon by them, for the purpose of reconciling their appraisals. They shall, as soon as possible, and not later than six months from the date of the completion of the pleadings and briefs, submit to the two Governments a joint report of the results of their conferences, indicating those cases in which agreement has been reached by them with respect to the merits and the amount of liability, if any, in the individual cases and also those cases in which they shall have been unable to agree with respect to the merits or the amount of liability, or both.

Fifth.—The two Governments shall, upon the basis of such joint report, and with the least possible delay, conclude a convention for the final disposition of the claims, which convention shall take one or the other of the two following forms, namely, first, an agreement for an *en bloc* settlement of the claims wherein there shall be stipulated the net amount to be paid by either Government and the terms upon which payment shall be made; or, second, an agreement for the disposition of the claims upon their individual merits. In this latter event, the two above-mentioned Commissioners shall be required to record their agreements with respect to individual claims and the bases upon which their conclusions shall have been reached, in the respective cases.

Comisionados se reunirán en el lugar que designen de común acuerdo con el objeto de armonizar sus estimaciones. Tan pronto como sea posible y dentro de los seis meses contados desde la fecha en que se completen los escritos y alegatos, presentarán a los dos Gobiernos un dictamen conjunto sobre el resultado de sus conferencias, en el que indicarán los casos en que hayan llegado a un acuerdo en cuanto a los fundamentos y al monto de la responsabilidad, si alguna resultare, en cada caso, indicando asímismo los casos en que no hayan podido ponerse de acuerdo, ya sea respecto a los fundamentos o al monto de la responsabilidad, o a ambas cosas.

Quinto.—Los dos Gobiernos, sobre la base del referido dictamen conjunto, y con el menor retraso posible, celebrarán una Convención para la resolución definitiva de las reclamaciones, debiendo en dicha Convención adoptarse una u otra de las dos formas siguientes, a saber: primero, la de un convenio para un arreglo global de las reclamaciones, en el que se estipulará la cantidad líquida que habrá de pagar alguno de los dos Gobiernos y las condiciones en que se habrá de efectuar tal pago; o, segundo, la de un convenio para la resolución de las reclamaciones sobre los fundamentos de cada una. En este último caso, se exigirá a los dos Comisionados arriba mencionados, que hagan constar los acuerdos celebrados por ellos con respecto a cada una de las reclamaciones y los fundamentos en que se basen sus conclusiones, en el caso respectivo.

*Joint report to be submitted.*

*Claims convention to follow.*

*Forms to be taken.*

**Report a final disposition of cases.**

**Cases in disagreement.**

**Reference to Umpire; effect of decisions.**

**Pleadings and briefs.**

The report shall be accepted, by the convention to be concluded by the two Governments, as final and conclusive dispositions of those cases. With respect to those cases in which the Commissioners shall not have been able to reach agreements, the two Governments shall, by the said convention, agree that the pleadings and briefs in such cases, together with the written views of the two Commissioners concerning the merits of the respective claims, be referred to an Umpire, whose written decisions shall also be accepted by both Governments as final and binding. All matters relating to the designation of an Umpire, time within which his decisions should be rendered and general provisions relating to his work shall be fixed in a Convention to be negotiated under provisions of this Clause.

Sixth.—The procedure to be followed in the development of the pleadings and briefs, which procedure shall be scrupulously observed by the Agents of the two Governments, shall be the following:

(a) The time allowed for the completion of the pleadings and briefs shall be two years counting from a date hereafter to be agreed upon by the two Governments by an exchange of notes, which shall not be later than November 1, 1934.

(b) The pleadings and briefs of each Government shall be filed at the Embassy of the other Government.

(c) The pleadings and briefs to be filed shall be limited in number to four, namely, Memorial, Answer, Brief and Reply Brief. Only three copies of each need be

El dictamen que rindan será aceptado, por medio de la Convención que celebren los dos Gobiernos, como la resolución definitiva y final de dichos casos. Con respecto a los casos en que los Comisionados no hayan podido ponerse de acuerdo, los dos Gobiernos, en esa misma Convención, estipularán que los escritos y alegatos presentados en ellos, juntamente con las opiniones escritas de los dos Comisionados sobre los fundamentos de las reclamaciones respectivas, se someterán a un Arbitro cuyos fallos escritos serán aceptados también por ambos Gobiernos como definitivos y obligatorios. Todo lo que se refiere a designación de Arbitro, período de tiempo de que dispondrá para fallar y modalidades de su trabajo, serán fijados en la Convención de que habla esta Cláusula.

Sexto.—El procedimiento que se seguirá en el desarrollo de los escritos y alegatos, procedimiento que observarán escrupulosamente los Agentes de los dos Gobiernos, será el siguiente:

(a) El plazo concedido para completar los escritos y alegatos será de dos años contados desde la fecha en que posteriormente convengan los dos Gobiernos por medio de un cambio de notas, que no se efectuará más tarde del 1º de noviembre de 1934.

(b) Los escritos y alegatos de cada uno de los dos Gobiernos serán presentados en la Embajada del otro Gobierno.

(c) Los escritos y alegatos que se presenten quedan limitados a cuatro, a saber: el Memorial, la Contestación, el Alegato y el Alegato de Réplica. Sólo será ne-

presented to the other Agent, but four additional copies shall be retained by the filing Agency for possible use in future adjudication. Each copy of Memorial, Answer and Brief shall be accompanied by a copy of all evidence filed with the original thereof. The pleadings and briefs, which may be in either English or Spanish at the option of the filing Government, shall be signed by the respective Agents or properly designated substitutes.

(d) With the Memorial the claimant Government shall file all the evidence on which it intends to rely. With the Answer the respondent Government shall file all the evidence upon which it intends to rely. No further evidence shall be filed by either side except such evidence, with the Brief, as rebuts evidence filed with the Answer. Such evidence shall be strictly limited to evidence in rebuttal and there shall be explained at the beginning of the Brief the alleged justification for the filing thereof. If the other side desires to object to such filing, its views may be set forth in the beginning of the Reply Brief, and the Commissioners, or the Umpire, as the case may require, shall decide the point, and if it is decided that the evidence is not in rebuttal to evidence filed with the Answer, the additional evidence shall be entirely disregarded in considering the merits of the claim.

The Commissioners may at any time order the production of further evidence.

cesario presentar tres copias de cada uno al otro Agente, pero la Agencia que los presente conservará cuatro ejemplares adicionales para que se puedan usar al resolverse los casos en el futuro. Cada una de las copias de tales Memoriales, Contestaciones y Alegatos irá acompañada de una copia de todas las pruebas presentadas con el escrito original. Los escritos y alegatos, que podrán presentarse en inglés o en español, a voluntad del Gobierno que los presente, estarán firmados por los Agentes respectivos o por substitutos de éstos designados en debida forma.

(d) Con el Memorial, el Gobierno demandante presentará todas las pruebas en que se funde. Con su Contestación, el Gobierno demandado presentará todas las pruebas en que piense apoyarse. No se presentará prueba adicional alguna por ninguna de las dos partes exceptuando las pruebas que se presenten con el Alegato para refutar las pruebas presentadas con la Contestación. Tales constancias se limitarán a pruebas de refutación y se expresará al principio del Alegato las justificaciones que se tengan para presentar dichas pruebas. Si la otra parte deseare objetar su presentación, sus objeciones pueden manifestarse al principio del Alegato de Réplica, y los Comisionados o el Arbitro, según sea el caso, decidirán el punto. Si se resolviera que las pruebas no refutan las presentadas con la Contestación, las adicionales no se tomarán en cuenta al considerarse los fundamentos de la reclamación.

Los Comisionados podrán en cualquier tiempo pedir que se presenten pruebas adicionales. Commissioners may order further evidence.

(e) In view of the desire to reduce the number of pleadings and briefs to a minimum in the interest of economy of time and expense, it shall be the obligation of both Agents fully and clearly to state in their Memorials the contention of the claimant Government with respect to both the factual bases of the claims in question and the legal principles upon which the claims are predicated and, in the Answer, the contentions of the respondent Government with regard to the facts and legal principles upon which the defense of the case rests. In cases in which Answers already filed do not sufficiently meet this provision so as to afford the claimant Government an adequate basis for preparing its legal Brief with full general knowledge of the factual and legal defenses of the respondent Government, it shall have the right to file a Counter Brief within thirty days following the date of filing the Reply Brief.

(f) For the purposes of the above pleadings and briefs, as well as the appraisals and decisions of the two Commissioners and the decisions of the Umpire, above mentioned, the provisions of the General Claims Convention of September 8, 1923, shall be considered as fully effective and binding upon the two Governments, except insofar as concerns the matter of procedure, which shall be that provided for herein.

(g) Whenever practicable, cases of a particular class shall be grouped for memorializing and/or for briefing.

(e) En vista del deseo que hay de reducir el número de los escritos y alegatos al mínimo, en provecho de la economía de tiempo y gastos, será obligación de ambos Agentes exponer amplia y claramente en sus Memoriales los argumentos del Gobierno demandante con respecto tanto a los hechos en que se base alguna reclamación como a los principios jurídicos en que se funde, y, en la Contestación, los argumentos del Gobierno demandado relativos a los hechos y principios jurídicos en que se apoye la defensa del caso. En los casos en que las Contestaciones ya presentadas no se ajusten exactamente a esta disposición para dar al Gobierno reclamante una base adecuada para la preparación de su Alegato con perfecto conocimiento de los hechos y excepciones legales del Gobierno demandado, tendrá el derecho de presentar un Contralegato dentro de los treinta días siguientes a la fecha de la presentación del Alegato de Réplica.

(f) Por lo que respecta a los escritos y alegatos arriba mencionados, así como a las estimaciones y fallos de los dos Comisionados y los fallos del Arbitro, se considerarán como plenamente efectivas y obligatorias para ambos Gobiernos las disposiciones de la Convención General de Reclamaciones de 8 de septiembre de 1923, salvo en lo que respecta a la materia de procedimientos, la cual se regirá por el presente Protocolo.

(g) Siempre que sea factible, se agruparán los casos de una clase determinada, para la presentación de los Memoriales y de los Alegatos, o de cualquiera de

(h) In order that the two Agents may organize their work in the most advantageous manner possible and in order that the two-year period allowed for pleadings and briefs may be utilized in a manner which shall be most equitable to both sides, each Agent shall, within thirty days from the beginning of the two-year pleading period, submit to the other Agent a tentative statement showing the total number of Memorials and Briefs such Agent intends to file. Six months after the beginning of the two-year pleading period, the two Agents shall respectively submit in the same manner statements setting out definitely by name and docket number the claims in which it is proposed to complete the pleadings and briefs, indicating those in which they intend to combine cases in the manner indicated in paragraph (g) above. The number of pleadings and briefs so indicated shall not, except by later agreement between the two Governments, be exceeded by more than ten percent.

(i) In order to enable the Agencies to distribute their work equally over the two-year pleading period, each Agency shall be under the obligation to file its Memorials at approximately equal intervals during the first seventeen months of the two-year period, thus allowing the remaining seven months of the period for the completion of the pleadings and briefs in the last case memorialized. The same obligation shall attach with re-

(h) Para que los dos Agentes puedan organizar sus trabajos en la forma más eficiente que sea posible, y para que el período de dos años concedidos para la presentación de escritos y alegatos se pueda aprovechar del modo más equitativo para ambas partes, cada uno de los dos Agentes, dentro de los treinta días siguientes al comienzo de dicho período de dos años para la presentación de tales escritos, deberá presentar al otro Agente un estado previo que demuestre el número total de Memoriales y Alegatos que piense presentar. A los seis meses contados desde el comienzo del referido período de dos años para la presentación de escritos, los dos Agentes presentarán respectivamente, en la misma forma, estados que expongan definitivamente, especificando los nombres y números de registro, las reclamaciones en las que se propongan completar los escritos y alegatos con la indicación de los casos en que piensen agruparlos del modo indicado en el inciso (g) anterior. El número de escritos y alegatos mencionados no deberá, salvo acuerdo posterior entre los dos Gobiernos, excederse en más de un diez por ciento.

(i) Para que las Agencias puedan distribuir sus trabajos uniformemente en todo el período de dos años para presentación de escritos, cada una de ellas estará obligada a presentar sus Memoriales a intervalos más o menos iguales durante los primeros diecisiete meses del referido período, a efecto de que durante los siete meses restantes se completen los escritos y alegatos en el último caso en que se hubiere presentado Memorial.

spect to the filing of the pleadings and briefs referred to in paragraph (k) below.

(j) The time to be allowed for filing Answers shall be seventy days from the date of filing Memorials. The time to be allowed for filing Briefs shall be seventy days from the date of filing the Answers. The time to be allowed for filing Reply Briefs shall be seventy days from the date of filing the Briefs.

(k) In those cases in which some pleadings or briefs were filed with the General Claims Commission before the date of signature hereof, the Agency which has the right to file the next pleading or brief shall be allowed to determine when that document shall be filed, taking into consideration the necessity of complying with the provisions of paragraph (i) above.

(l) In counting the seventy-day periods mentioned in paragraph (j) above, no deductions shall be made for either Sundays or holidays. The date of filing the above described pleadings and briefs shall be considered to be the date upon which they shall be delivered at the Embassy of the other Government. If the due date shall fall on Sunday or a legal holiday, the pleading or brief shall be filed upon the next succeeding business day. The two Governments shall, for this purpose, instruct their respective Embassies to receive and give receipts for such pleadings and

Esta misma obligación existirá con respecto a la presentación de los escritos y alegatos a que se refiere el inciso (k) más adelante.

(j) El plazo que se concede para la presentación de Contestaciones será de setenta días contados desde la fecha de la presentación de los Memoriales. El plazo para la presentación de Alegatos será de setenta días contados desde la fecha de la presentación de las Contestaciones. El plazo para la presentación del Alegato de Réplica será de setenta días, contados desde la fecha de la presentación de los Alegatos.

(k) En aquellos casos en que se hayan presentado algunos escritos o alegatos ante la Comisión General de Reclamaciones con anterioridad a la fecha de la firma del presente Protocolo, la Agencia que tenga derecho a presentar el escrito o alegato siguiente estará autorizada para determinar la fecha en que se haya de presentar tal documento, tomando en consideración la necesidad que hay de cumplir las disposiciones del inciso (i) anterior.

(1) Al contar los períodos de setenta días de que habla el inciso (j) anterior, no se harán deducciones por concepto de domingos ni días de fiesta. La fecha de la presentación de los escritos y alegatos antes mencionados se considerará que es la fecha en que sean entregados en la Embajada del otro Gobierno. Si la fecha de vencimiento cayere en algún domingo o día de fiesta oficial, el escrito o alegato se presentará en el día hábil siguiente. Los dos Gobiernos, con este objeto, darán instrucciones a sus Embajadas respectivas de recibir y dar recibos por tales escritos y

briefs any weekday between the hours of 10 and 16 (4 p.m.) except on the following legal holidays of both countries:

<i>Of the United States</i>	<i>Of Mexico</i>
January 1	January 1
February 22	February 5
May 30	May 1
July 4	May 5
First Monday in September	September 14
Last Thursday in November	September 15
December 25	September 16
	October 12
	November 20
	December 25
	December 31.

alegatos en todos los días hábiles, entre las 10 y las 16 horas, exceptuando los siguientes días de fiesta oficiales de ambos países:

<i>De los Estados Unidos</i>	<i>De México</i>
1º de enero	1º de enero
22 de febrero	5 de febrero
30 de mayo	1º de mayo
4 de julio	5 de mayo
Primer lunes de septiembre	14 de septiembre
Ultimo jueves de noviembre	16 de septiembre
25 de diciembre	15 de septiembre
	12 de octubre
	20 de noviembre
	25 de diciembre
	31 de diciembre.

(m) In view of the herein prescribed limitations upon the time allowed for the completion of the work of the Agencies and the Commissioners, it is recognized that the success of this simplified plan of procedure depends fundamentally upon the prompt and regular filing of the pleadings and briefs in accordance with the provisions of this Protocol. It is agreed, therefore, that any pleading or brief which shall be filed more than thirty days after the due date for the filing thereof, shall be disregarded by the Commissioners and the Umpire, and that the respective case shall be considered by them upon the pleadings and briefs preceding the tardy pleadings and briefs, unless, by agreement of the two Governments, the continued pleading of the respective case shall be resumed.

(m) En vista de las limitaciones prescritas en este protocolo respecto al período de tiempo fijado para la terminación de las labores de las Agencias y de los Comisionados, se reconoce que el éxito de este plan simplificado de procedimiento depende, fundamentalmente, de la presentación puntual y regular de los escritos y alegatos en los términos establecidos por las disposiciones de este Protocolo. Se conviene, por consiguiente, que cualquier escrito o alegato que se entregue más de treinta días después de la fecha fijada para su presentación, no será tomado en cuenta por los Comisionados y el Arbitro, y que el caso de que se trate será considerado por ellos únicamente sobre la base de los escritos y alegatos que precedan al que se hubiere presentado extemporáneamente, a menos de que, por acuerdo entre ambos Gobiernos, se autorice la continuación de las alegaciones en el caso respectivo.

(n) It shall not be necessary to present original evidence but all documents hereafter submitted as evidence shall be certified as true and complete copies of the

(n) No será necesario presentar las pruebas originales, pero todos los documentos que de hoy en adelante se presenten en calidad de pruebas, serán certificados

original if they be such. In the event that any particular document filed is not a true and complete copy of the original, that fact shall be so stated in the certificate.

(o) The complete original of any document filed, either in whole or in part, shall be retained in the Agency filing the document and shall be made available for inspection by any authorized representative of the Agent of the other side.

(p) Where the original of any document or other proof is filed at any Government office on either side, and cannot be conveniently withdrawn, and no copy of such document is in the possession of the Agent of the Government desiring to present the same to the Commissioners in support of the allegations set out in his pleadings or briefs, he shall notify the Agent of the other Government in writing of his desire to inspect such document. Should such inspection be refused, then the action taken in response to the request to inspect, together with such reasons as may be assigned for the action taken, shall be reported to the Commissioners and, in turn, to the Umpire mentioned in Clause Fifth of this Protocol, so that due notice thereof may be taken.

Done in duplicate in Mexico, D.F. in the English and Spanish languages this twenty fourth day of the month of April one thousand nine hundred and thirty four.

Signatures.

como copias fieles y completas de sus originales si así lo fueren. En el caso de que algún documento determinado que se presente no sea copia fiel y completa del original, ese hecho se hará constar en la certificación.

(o) El original completo de cualquier documento presentado, ya sea total o parcialmente, será conservado en la Agencia que lo presente y estará disponible para su inspección por cualquier representante autorizado del Agente de la otra parte.

(p) Cuando el original u otra prueba esté archivado en las oficinas de cualquiera de los dos Gobiernos, y no pueda ser retirado fácilmente, ni exista copia de tal documento en poder del Agente del Gobierno que deseé presentarlo a los Comisionados, en apoyo de los puntos contenidos en sus escritos o alegatos, entonces notificará por escrito al Agente de la parte contraria acerca de su deseo de examinar el referido documento. Si a una solicitud de examen se rehusa la exhibición del documento de que se trata, tal actitud, junto con las razones que se dieren para excusarla, serán puestas en conocimiento de los Comisionados y, en su caso, del Arbitro a que se refiere la Cláusula Quinta de este Protocolo, y ésto será tomado en cuenta por ellos.

Hecho por duplicado, en inglés y en español, en la Ciudad de México, el día veinticuatro del mes de abril del año de mil novecientos treinta y cuatro.

JOSEPHUS DANIELS  
PUIG

[SEAL]  
[SEAL]

[No. 57]

*Arrangement between the United States of America and Denmark for air navigation. Effectuated by exchange of notes, signed March 12 and 24, 1934. Effective April 16, 1934.*

March 14, 24, 1934.

*The American Minister (Owen) to the Danish Minister for Foreign Affairs (Munch)*

No. 46. LEGATION OF THE UNITED STATES OF AMERICA,  
*Copenhagen, March 12, 1934.*

## EXCELLENCY:

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Denmark for the conclusion of a reciprocal air navigation arrangement between the United States of America and Denmark, governing the operation of civil aircraft of the one country in the other country.

## Arrangement with Denmark governing air navigation.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

## ARTICLE 1

Pending the conclusion of a convention between the United States of America and Denmark on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions:

### **Tentative provisions.**

## ARTICLE 2

The present arrangement shall apply to the United States of America and Denmark, and likewise, subject to the provisions of the second paragraph of Article 6, the following possessions, territories or colonies over which they respectively exercise jurisdiction, including territorial waters:

#### **Area affected.**

- (a) Alaska, Puerto Rico, Virgin Islands of the United States, and American Samoa.
  - (b) Greenland.

## ARTICLE 3

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

### Aircraft defined.

## ARTICLE 4

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

### **Freedom of passage.**

**Regular air routes by transport companies.**

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

**Refusal only on reasonable grounds.**

Each party to the arrangement agrees that its consent for operation over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

**Pilot licenses.**

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licenses issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non-industrial or non-commercial purposes.

#### ARTICLE 5

**Internal legislation to govern.**

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall while within the territory of the other Party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order insofar as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers provided that such cargoes are covered by through bills of lading and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

**ARTICLE 6**

Each of the Parties to this arrangement shall have the right to prohibit air-traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Restricted areas.

Each of the Parties may make the right to engage in air traffic over any of its possessions, territories or colonies, specified in subparagraphs (a) or (b) of Article 2, dependent upon the granting of a special permit and upon the fulfillment of special conditions and rules, provided that, subject to the right to reserve to national aircraft air commerce as described in the third paragraph of Article 5, no distinction in this matter is made between aircraft registered in its territory and aircraft registered in territory of the other Party. Each Party shall notify the other Party of its possession, territory or colony over which air traffic will not be permitted without a special permit.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

**ARTICLE 7**

Any aircraft which finds itself over a prohibited area referred to in the first paragraph of Article 6 shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

Aircraft entering restricted area accidentally.

**ARTICLE 8**

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

Distinctive, etc., marks.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

Certificates required.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Validity of certificates.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

Rights reserved.

## ARTICLE 9

**Radio regulations.**

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

## ARTICLE 10

**War materials restrictions.**

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

**Inspection, etc.**

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

**Aerodromes.**

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services, and the day and night signalling services, in so far as the several classes of services are under control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accommodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

**Landings, etc.**

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its

crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

#### ARTICLE 14

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6 the frontiers of the territories of the Parties to this arrangement may be crossed at any point.

Flight restrictions.

#### ARTICLE 15

As ballast, only fine sand or water may be dropped from an aircraft.

Ballast.

#### ARTICLE 16

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

Permission required to discharge, etc.

#### ARTICLE 17

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

Registry.

#### ARTICLE 18

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

Exchange of ratifications.

#### ARTICLE 19

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

Duration.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on April 16, 1934.

Ratification and effective date.

Accept, Excellency, the renewed assurances of my highest consideration.

RUTH BRYAN OWEN.

His Excellency

Dr. P. MUNCH,

*Royal Minister for Foreign Affairs,  
Copenhagen.*

*The Danish Minister for Foreign Affairs (Munch) to the American Minister (Owen)*

UDENRIGSMINISTERIET.

Ø.P.I. Journal Nr. 93.D.32.

COPENHAGEN, March 24, 1934.

MADAM:—

Acceptance by Denmark.— I have the honour to acknowledge the receipt of the note of the 12th instant in which you communicated to me the text of the reciprocal air navigation arrangement between Denmark and the United States of America, governing the operation of civil aircraft of the one country in the other country, as understood by you to have been agreed to during the negotiations, now terminated, between the two countries.

The text which you have communicated to me is reproduced below:

#### ARTICLE 1.

Pending the conclusion of a convention between the United States of America and Denmark on the subject of air navigation, the operation of civil aircraft of the one country in the other country shall be governed by the following provisions:

#### ARTICLE 2.

The present arrangement shall apply to the United States of America and Denmark, and likewise, subject to the provisions of the second paragraph of Article 6, the following possessions, territories or colonies over which they respectively exercise jurisdiction, including territorial waters:

- (a) Alaska, Puerto Rico, Virgin Islands of the United States, and American Samoa.
- (b) Greenland.

#### ARTICLE 3.

The term aircraft with reference to one or the other Party to this arrangement shall be understood to mean civil aircraft, including state aircraft used exclusively for commercial purposes, duly registered in the territory of such Party.

#### ARTICLE 4.

Each of the parties undertakes to grant liberty of passage above its territory in time of peace to the aircraft of the other party, provided that the conditions set forth in the present arrangement are observed.

It is, however, agreed that the establishment and operation of regular air routes by an air transport company of one of the parties within the territory of the other party or across the said territory, with or without intermediary landing, shall be subject to the prior consent of the other party given on the principle of reciprocity and at the request of the party whose nationality the air transport company possesses.

Each party to the arrangement agrees that its consent for operations over its territory by air transport companies of the other party may not be refused on unreasonable or arbitrary grounds. The consent may be made subject to special regulations relating to aerial safety and public order.

The parties to this arrangement agree that the period in which pilots may, while holding valid pilot licences issued or rendered valid by either country, operate registered aircraft of that country in the other country for non-industrial or non-commercial purposes shall be limited to a period not exceeding six months from the time of entry for the purpose of operating aircraft, unless prior to the expiration of this period the pilots obtain from the Government of the country in which they are operating, pilot licenses authorizing them to operate aircraft for non industrial or non-commercial purposes.

#### ARTICLE 5.

The aircraft of each of the Parties to this arrangement, their crews and passengers, shall, while within the territory of the other Party, be subject to the general legislation in force in that territory as well as the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers.

Each of the Parties to this arrangement shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers, subject to any customs, immigration and quarantine restrictions, into or from their respective territories in the aircraft of the other Party, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which the aircraft of the country, imposing such duties or charges, engaged in international commerce, and their cargoes and passengers, or the aircraft of any foreign country likewise engaged, and their cargoes and passengers, enjoy or are subjected to.

Each of the Parties to this arrangement may reserve to its own aircraft air commerce between any two points neither of which is in a foreign country. Nevertheless the aircraft of either Party may proceed from any aerodrome in the territory of the other Party which they are entitled to use to any other such aerodrome either for the purpose of landing the whole or part of their cargoes or passengers or of taking on board the whole or part of their cargoes or passengers provided that such cargoes are covered by through bills of lading, and such passengers hold through tickets, issued respectively for a journey whose starting place and destination both are not points between which air commerce has been duly so reserved, and such aircraft, while proceeding as aforesaid, from one aerodrome to another, shall, notwithstanding that such aerodromes are points between which air commerce has been duly reserved, enjoy all the privileges of this arrangement.

#### ARTICLE 6.

Each of the Parties to this arrangement shall have the right to prohibit air traffic over certain areas of its territory, provided that no distinction in this matter is made between its aircraft engaged in international commerce and the aircraft of the other Party likewise engaged. The areas above which air traffic is thus prohibited by either Party must be notified to the other Party.

Each of the Parties may make the right to engage in air traffic over any of its possessions, territories or colonies, specified in subparagraphs (a) or (b) of Article 2, dependent upon the granting of a special permit and upon the fulfillment of special conditions and rules, provided that, subject to the right to reserve to national aircraft air commerce as described in the third paragraph of Article

5, no distinction in this matter is made between aircraft registered in its territory and aircraft registered in territory of the other Party. Each Party shall notify the other Party of its possession, territory or colony over which air traffic will not be permitted without a special permit.

Each of the Parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above its territory on condition that in this respect no distinction is made between the aircraft of the other Party and the aircraft of any foreign country.

#### ARTICLE 7.

Any aircraft which finds itself over a prohibited area referred to in the first paragraph of Article 6 shall, as soon as it is aware of the fact, give the signal of distress prescribed in the Rules of the Air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside of but as near as possible to such prohibited area.

#### ARTICLE 8.

All aircraft shall carry clear and visible nationality and registration marks whereby they may be recognized during flight. In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all the other documents prescribed for air traffic in the territory in which they are registered.

The members of the crew who perform, in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licences prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one of the Parties to this arrangement in respect of an aircraft registered in its territory or of the crew of such aircraft shall have the same validity in the territory of the other Party as the corresponding documents issued or rendered valid by the latter.

Each of the Parties reserves the right for the purpose of flight within its own territory to refuse to recognize certificates of competency and licenses issued to nationals of that Party by the other Party.

#### ARTICLE 9.

Aircraft of either of the Parties to this arrangement may carry wireless apparatus in the territory of the other Party only if a license to install and work such apparatus shall have been issued by the competent authorities of the Party in whose territory the aircraft is registered. The use of such apparatus shall be in accordance with the regulations on the subject issued by the competent authorities of the territory within whose air space the aircraft is navigating.

Such apparatus shall be used only by such members of the crew as are provided with a special license for the purpose issued by the Government of the territory in which the aircraft is registered.

The Parties to this arrangement reserve respectively the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

**ARTICLE 10.**

No arms of war, explosives of war, or munitions of war shall be carried by aircraft of either Party above the territory of the other Party or by the crew or passengers, except by permission of the competent authorities of the territories within whose air space the aircraft is navigating.

**ARTICLE 11.**

Upon the departure or landing of any aircraft each Party may within its own territory and through its competent authorities search the aircraft of the other Party and examine the certificates and other documents prescribed.

**ARTICLE 12.**

Aerodromes open to public air traffic in the territory of one of the Parties to this arrangement shall in so far as they are under the control of the Party in whose territory they are situated be open to all aircraft of the other Party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services, in so far as the several classes of services are under control of the Party in whose territory they respectively are rendered. Any scale of charges made, namely, landing, accomodation or other charge, with respect to the aircraft of each Party in the territory of the other Party, shall in so far as such charges are under the control of the Party in whose territory they are made be the same for the aircraft of both Parties.

**ARTICLE 13.**

All aircraft entering or leaving the territory of either of the Parties to this arrangement shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for enforcement of immigration regulations and clearance of aircraft, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs, immigration and clearance facilities have been arranged. The prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes, referred to in the first paragraph of this article, the pilot of the aircraft, its crew and the passengers shall conform to the customs and immigration regulations in force in the territory in which the landing has been made.

Aircraft of each Party to this arrangement are accorded the right to enter the territory of the other Party subject to compliance with quarantine regulations in force therein.

The Parties to this arrangement shall exchange lists of the aerodromes in their territories designated by them as ports of entry and departure.

**ARTICLE 14.**

Each of the Parties to this arrangement reserves the right to require that all aircraft crossing the frontiers of its territory shall do so between certain points. Subject to the notification of any such requirements by one Party to the other Party, and to the right to prohibit air traffic over certain areas as stipulated in Article 6 the frontiers of the territories of the Parties to this arrangement may

**ARTICLE 15.**

As ballast, only fine sand or water may be dropped from an aircraft.

**ARTICLE 16.**

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

**ARTICLE 17.**

Whenever questions of nationality arise in carrying out the present arrangement, it is agreed that every aircraft shall be deemed to possess the nationality of the Party in whose territory it is duly registered.

**ARTICLE 18.**

The Parties to this arrangement shall communicate to each other the regulations relative to air traffic in force in their respective territories.

**ARTICLE 19.**

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith."

I am glad to assure you that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with your suggestion it is understood that the arrangement will come into force on April 16, 1934.

I avail myself of this opportunity to renew to you, Madame, the assurance of my high consideration.

P. MUNCH

Mrs. RUTH BRYAN OWEN,  
*Minister of the United States of America.*

[No. 58]

*Arrangement between the United States of America and Denmark governing pilot licenses to operate civil aircraft. Effectuated by exchange of notes, signed March 14 and 24, 1934. Effective April 16, 1934.* March 12, 24, 1934.

*The American Minister (Owen) to the Danish Minister for Foreign Affairs (Munch)*

No. 48           **LEGATION OF THE UNITED STATES OF AMERICA,**  
*Copenhagen, March 14, 1934.*

**EXCELLENCY:**—

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Denmark for the conclusion of a reciprocal arrangement between the United States of America and Denmark providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft.

*Arrangement with Denmark governing pilot licenses to operate civil aircraft.*

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

**ARTICLE 1**

The present arrangement between the United States of America and Denmark relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

**ARTICLE 2**

(a) The Department of Public Works of Denmark will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Danish nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

**ARTICLE 3**

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Danish nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Department of Public Works of Denmark to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Danish nationals.

**ARTICLE 4**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

## ARTICLE 5

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses and the license is valid for the operations in which the pilot is to engage.

## ARTICLE 6

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by enactment by either Party of legislation inconsistent therewith.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on April 16, 1934.

Accept, Excellency, the renewed assurances of my highest consideration.

RUTH BRYAN OWEN.

His Excellency  
Dr. P. MUNCH,  
*Royal Minister for Foreign Affairs,*  
*Copenhagen.*

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*The Danish Minister for Foreign Affairs (Munch) to the American Minister (Owen)*

UDENRIGSMINISTERIET.

Ø.P.I.—Journal Nr. 93.D.32.

COPENHAGEN, March 24, 1934.

MADAM:—

Concurrence by Denmark.

I have the honor to acknowledge the receipt of the note of the 14th instant in which you communicated to me the text of the reciprocal arrangement between Denmark and the United States of America providing for the issuance by the one country of licenses to nationals of the other country authorizing them to pilot civil aircraft, as understood by you to have been agreed to during the negotiations, now terminated, between the two countries.

The text which you have communicated to me is reproduced below:

## ARTICLE 1.

The present arrangement between the United States of America and Denmark relates to the issuance by each country of licenses to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

**ARTICLE 2.**

(a) The Department of Public Works of Denmark will issue pilots' licenses to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

(b) The Department of Commerce of the United States of America will issue pilots' licenses to Danish nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

**ARTICLE 3.**

(a) Pilots' licenses issued by the Department of Commerce of the United States of America to Danish nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to American nationals.

(b) Pilots' licenses issued by the Department of Public Works of Denmark to American nationals shall entitle them to the same privileges as are granted by pilots' licenses issued to Danish nationals.

**ARTICLE 4.**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

**ARTICLE 5.**

Pilots' licenses issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licenses and the license is valid for the operations in which the pilot is to engage.

**ARTICLE 6.**

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by enactment by either Party of legislation inconsistent therewith."

I am glad to assure you that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with your suggestion it is understood that the arrangement will come into force on April 16, 1934.

I avail myself of this opportunity to renew to you, Madame, the assurance of my high consideration.

P. MUNCH

Mrs. RUTH BRYAN OWEN,  
*Minister of the United States of America.*

[No. 59]

March 12, 24, 1934. *Arrangement between the United States of America and Denmark for the reciprocal recognition of certificates of airworthiness for imported aircraft. Effectuated by exchange of notes, signed March 12 and 24, 1934; effective April 16, 1934.*

*The American Minister (Owen) to the Danish Minister for Foreign Affairs (Munch)*

**No. 47** LEGATION OF THE UNITED STATES OF AMERICA,  
*Copenhagen, March 12, 1934.*

### **EXCELLENCE:—**

Reference is made to the negotiations which have taken place between the Government of the United States of America and the Government of Denmark for the conclusion of a reciprocal arrangement between the United States of America and Denmark providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that this arrangement shall be as follows:

## ARTICLE 1

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Denmark; and to civil aircraft constructed in Denmark and exported to continental United States of America, exclusive of Alaska.

## ARTICLE 2

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Denmark as if they had been issued under the regulations in force on the subject in Denmark provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities in respect of the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Denmark in respect of aircraft subsequently registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

## ARTICLE 3

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

## ARTICLE 4

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment of either Party of legislation inconsistent therewith.

I shall be glad to have you inform me whether it is the understanding of your Government that the arrangement agreed to in the negotiations is as herein set forth. If so, it is suggested that the arrangement become effective on April 16, 1934.

Accept, Excellency, the renewed assurances of my highest consideration.

RUTH BRYAN OWEN.

His Excellency

Dr. P. MUNCH,

*Royal Minister for Foreign Affairs,  
Copenhagen.*

*The Danish Minister for Foreign Affairs (Munch) to the American Minister (Owen)* Agreement by Denmark.

UDENRIGSMINISTERIET.

Ø.P.I. Journal Nr. 93.D.32.

COPENHAGEN, March 24, 1934.

MADAM:—

I have the honor to acknowledge the receipt of the note of the 12th instant, in which you communicated to me the text of the reciprocal arrangement between Denmark and the United States of America providing for the acceptance by the one country of certificates of airworthiness for aircraft exported from the other country as merchandise, as understood by you to have been agreed to during the negotiations, now terminated, between the two countries.

The text which you have communicated to me is reproduced below:

#### ARTICLE 1.

The present arrangement applies to civil aircraft constructed in continental United States of America, exclusive of Alaska, and exported to Denmark; and to civil aircraft constructed in Denmark and exported to continental United States of America, exclusive of Alaska.

#### ARTICLE 2.

The same validity shall be conferred on certificates of airworthiness issued by the competent authorities of the Government of the United States in respect of aircraft subsequently registered in Denmark as if they had been issued under the regulations in force on the subject in Denmark provided that in each case a certificate of airworthiness for export has also been issued by the United States authorities in respect of the individual aircraft, and provided that certificates of airworthiness issued by the competent authorities of Denmark in respect of aircraft subsequently registered in the United States of America are similarly given the same validity as if they had been issued under the regulations in force on the subject in the United States.

#### ARTICLE 3.

The above arrangement will extend to civil aircraft of all categories, including those used for public transport and those used for private purposes.

**ARTICLE 4.**

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment of either Party of legislation inconsistent therewith."

I am glad to assure you that the foregoing text is what has been accepted by my Government in the course of the negotiations and is approved by it.

In accordance with your suggestion it is understood that the arrangement will come into force on April 16, 1934.

I avail myself of this opportunity to renew to you, Madame, the assurance of my high consideration.

P. MUNCH

**Mrs. RUTH BRYAN OWEN,**  
*Minister of the United States of America.*

[No. 60]

*Arrangement between the United States of America and Denmark concerning reciprocal treatment of passenger motor vehicles. Effectuated by exchange of notes, signed September 4, 1928, October 27, 1928, and February 2, 1929; effective February 1, 1929.*

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*The Danish Minister (Brun) to the Acting Secretary of State*

J. No. 30. J. a/5.

ROYAL DANISH LEGATION  
WASHINGTON, D.C.

No. 125. p.t. BAR HARBOR, MAINE, *September 4, 1928.*

SIR,

I am directed to inform you, that the Danish Government, on condition of reciprocity, is prepared to grant freedom from taxation for a period of 3 months to foreign automobiles built for the transportation of passengers not to exceed 7 in number including the driver, and belonging in the country in question and registered as the property of persons residing there.

*Arrangement with  
Denmark for the recip-  
rocal treatment of auto-  
mobiles.*

In these circumstances I would be greatly obliged to you for being so good as to let me know, what formalities and conditions must be complied with in order that motor vehicles registered in Denmark may be exempted from taxation in the United States, therein included duties and taxes of all kinds.

I have the honor to be, Sir,

With the highest consideration,

Your most obedient and humble servant,

C. BRUN.

The Honorable

J. REUBEN CLARK, Jr.,

*Acting Secretary of State,*

*Department of State, Washington, D.C.*

*The Secretary of State to the Danish Minister (Brun)*

DEPARTMENT OF STATE,  
Washington, *October 27, 1928.*

SIR:

I have the honor to acknowledge the receipt of your note of September 4, 1928, in which you were good enough to inform me that your Government, on the basis of reciprocity, is prepared to grant freedom from taxation for a period of three months to foreign automobiles built for transportation of passengers not to exceed seven in number, including the driver, and belonging in the country in question and registered as the property of persons residing there.

*Response by United  
States.*

In reply I have the honor to inform you that the Federal Government imposes no taxes on automobiles in the United States. The taxation of owners of automobiles and the exaction of fees for the registration of automobiles is a matter for determination by the several States. The Department has been informally advised that an investigation of the motor vehicle laws of the forty-eight States of the United States discloses the fact that all of them grant reciprocity to foreign visitors.

This reciprocity is granted in respect both to the license plate and the driving license, provided, of course, that the same reciprocity is extended by foreign countries to residents of States that are now granting this courtesy. With regard to the taxation of owners of automobiles which is usually distinct from the payment of a registration fee, it may be stated that it is the Department's understanding that as a general rule such taxes are only imposed upon persons who are found to be legal residents of a certain State. Such taxes, it is believed, would not be exacted from persons who are merely touring through the several States of the Union, the class of persons to whom, presumably, reference is made in your note under acknowledgment.

In this connection the following information regarding the freedom from customs duties granted on a reciprocal basis to motorcycles and automobiles brought into the United States by nonresidents for a period of not more than six months, quoted from a letter from the Treasury Department, would appear pertinent to your inquiry:

"The regulations governing such importations are contained in Chapter VIII, Customs Regulations of 1923, Articles 406-413. Article 407 provides that entry shall be made on Customs Form 7501, and that bond shall be given on Customs Form 7563 (with surety) in a penal sum equal to double the estimated duties. In lieu of such bond, the importer may deposit a cash amount equal to the estimated duties, which is treated as a cash bond. The entry will be liquidated free of duty, and the bond canceled or the amount deposited returned, if the vehicle in question is exported within the six months period prescribed by Section 308 and provided that exportation is made in the manner required by Article 412 of the regulations. When not so exported, the vehicles are treated in the same manner as similar articles imported for sale and consumption, and assessed for duty on their value at the time of importation. The six months period prescribed for exportation cannot be extended."

I have the honor to express the hope that in the light of the foregoing information the competent Danish authorities will be prepared to grant reciprocal treatment to American citizens desiring to drive automobiles in Denmark.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

W. R. CASTLE, Jr.

Mr. CONSTANTIN BRUN,  
*Minister of Denmark.*

*The Danish Minister (Brun) to the Secretary of State*

J. No. 30. J. a/5

ROYAL DANISH LEGATION  
WASHINGTON, D.C.

No. 14.

FEBRUARY 2, 1929.

SIR,

Referring again to your reply-letter of October 27, 1928 in regard to taxation in this country of automobiles and exemption from such taxation of the automobiles of foreign visitors, I have the honor to state as follows:

In the last paragraph of your aforesaid letter you expressed the hope, that the competent Danish authorities, in the light of the information placed at their disposal, would be prepared to grant reciprocal treatment to American citizens desiring to drive automobiles in Denmark.

In this connection I am directed by the Danish Minister of Foreign Affairs to transmit to you the four copies here enclosed of a Regulation issued on this subject on January 18, 1929 by the Danish Ministry of Public Works. It will be seen that this Regulation, in view of the authorization contained in § 7 No. 1 of the Act No. 143 of July 1, 1927 on taxation of automobiles, etc., exempts from the tax prescribed in the said paragraph, for a period not exceeding 3 months, (visiting) automobiles for transportation of persons, built to seat not more than seven persons including the chauffeur, which belong in the United States and are registered in the United States as the property of persons residing in the United States.

A copy of § 7 No. 1 of the said Act is herewith enclosed.

I have the honor to be, Sir,

with the highest consideration,

Your most obedient and humble servant,

C. BRUN.

The Honorable

FRANK B. KELLOGG,

*Secretary of State,*

*Department of State, Washington, D.C.*

[Enclosure 1]

JOURNAL NR. 371 c.

BREV NR. B.

I Henhold til den Ministeren for offentlige Arbejder i §7, Stk. 1, i Lov Nr. 143 af 1. Juli 1927 om Afgift af Motorkøretøjer m. v. givne Bemyndigelse frafalder Ministeriet herved efter Forhandling med Finansministeriet Afgiften i Henhold til nævnte Paragraf af saadanne i de amerikanske Forenede Stater hjemmehørende Personautomobiler, der ikke er indrettede til Befordring af mere end 7 Personer, Føreren iberegnet, og som i det paagældende Land er indregistrerede som tilhørende Personer, bosatte i dette Land.

Afgiftsfriheden gælder kun for et Tidsrum af 3 Maaneder, saaledes at den ifornævnte Lovs §§ 1-6 omhandlede Afgiftspligt indtræder, saafremt Køretøjet forbliver her i Landet i over 3 Maaneder.

Denne Bekendtgørelse træder i Kraft den 1. Februar 1929.  
 Hvilket under Henvisning til Bekendtgørelse herfra af 28. Januar  
 1928 herved bringes til almindelig Kundskab.

MINISTERIET FOR OFFENTLIGE ARBEJDER, DEN 18. JANUAR 1929.

J. P. STENSBALLE.  
 CH. BUCHWALD.

Bekendtgørelse  
 om  
 Afgiftsfrihed her i Landet for Motorvogne og  
 Paahængsvogne til saadanee, der er hjemmehø-  
 rende i de amerikanske Forenede Stater, og som  
 Personer, der ankommer fra Udlandet til Dan-  
 mark, benytter ved Indpassagen.

[Enclosure 1—Translation]

JOURNAL N. 371 c.  
 CIRCULAR No. B.

Pursuant to the authority given to the Minister of Public Works in section 7, paragraph 1, in act no. 143 of July 1, 1927, relative to tax on motor vehicles, etc., the Ministry, after consultation with the Ministry of Finance, hereby waives the tax, in accordance with the said paragraph, on such passenger automobiles belonging in the United States as are designed to carry not more than 7 persons including the chauffeur, and are registered in the country in question as belonging to persons domiciled in that country.

Exemption from taxation is valid only for a period of 3 months, and therefore the liability to taxation mentioned by sections 1–6 of the above-named law arises in case the vehicle remains in this country for more than 3 months.

This proclamation shall go into effect February 1, 1929.  
 Which is hereby made public, reference being made to the proclamation of January 28, 1928, on this subject.

MINISTRY OF PUBLIC WORKS, JANUARY 18, 1929.

J. P. STENSBALLE.  
 CH. BUCHWALD.

Proclamation  
 relative to  
 Exemption from taxation in this country of motor  
 cars and trailers to same, which belong in the United  
 States, and which are used in entering this country  
 by persons coming to Denmark from abroad.

[Enclosure 2]

COPY OF ACT NO. 143 OF JULY 1, 1927, ON TAXATION OF AUTOMOBILES,  
 ETC.

§ 7, No. 1.

Af ikke her i Landet hjemmehørende Motorvogne samt Paahængs-  
 vogne til saadanee, som Personer, der ankommer fra Udlandet til  
 Danmark, benytter ved Indpassagen, betales, bortset fra de i § 1,  
 Stk. 2, nævnte Undtagelsestilfælde, følgende Afgifter:

Af Personautomobiler, der ikke er indrettede til at befordre flere end 7 Personer, Føreren iberegnet, samt af Paahængsvogne til Personautomobiler 5 Kr. for indtil 2 Dages Kørsel, 15 Kr. for indtil 8 Dages Kørsel og 50 Kr. for indtil 1 Maaneds Kørsel. Saafremt Vognen ikke forbliver her i Landet i hele det Tidsrum, for hvilket der er betalt Afgift, kan den senere køre her i Landet i den øvrige Tid uden at betale en ny Afgift.

Af Personautomobiler, der er indrettede til at befordre flere end 7 Personer, Føreren iberegnet, af Traktorer, Vare- og Lastautomobiler samt af Paahængsvogne til saadan 8 Kr. for indtil 2 Dages Kørsel, 25 Kr. for indtil 8 Dages Kørsel og 80 Kr. for indtil en Maaneds Kørsel.

Afgiften erlægges forud efter Regler, der nærmere fastsættes af Ministeren for offentlige Arbejder efter Forhandling med Finansministeren.

Ministeren for offentlige Arbejder kan dog efter Forhandling med Finansministeren frafalde Afgiften efter nærværende Bestemmelse for Personautomobiler, hjemmehørende i Lande, der indrømmer tilsvarende Afgiftsfrihed for her hjemmehørende Personautomobiler.

[Enclosure 2—Translation]

**COPY OF ACT NO. 143 OF JULY 1, 1927, ON TAXATION OF AUTOMOBILES,  
ETC.**

*Section 7, No. 1.*

The following taxes shall be paid on motor cars and trailers to same not belonging in this country, which are used in entering this country by persons coming to Denmark from abroad, except in the exceptional cases mentioned in section 1, paragraph 2.

On passenger automobiles, which are designed to carry not more than 7 persons including the chauffeur, and on trailers to passenger automobiles, 5 kroner for up to 2 days' driving, 15 kroner for up to 8 days' driving, and 50 kroner for up to 1 month's driving. If the car does not remain in this country during the whole period for which the tax is paid, it may be driven in this country later during the remaining time without payment of a new tax.

On passenger automobiles which are designed to carry more than 7 persons including the chauffeur, on tractors, commercial automobiles and motor trucks and on trailers to the same, 8 kroner for up to 2 days' driving, 25 kroner for up to 8 days' driving, and 80 kroner for up to 1 month's driving.

The tax is paid in advance in accordance with rules which shall be definitely fixed by the Minister of Public Works, after consultation with the Minister of Finance.

The Minister of Public Works may, however, after consultation with the Minister of Finance, waive payment of taxes under the present provision for passenger automobiles belonging in countries which grant the corresponding exemption from taxes for passenger automobiles belonging in this country.

April 23, 1934.

May 2, 1934.

*Arrangement between the United States of America and the Dominion of Canada governing radio communications between private experimental stations and between amateur stations. Effectuated by exchange of notes, signed April 23 and May 2 and 4, 1934; effective May 4, 1934.*

*The American Minister (Robbins) to the Canadian Secretary of State for External Affairs (Bennett)*

No. 219. LEGATION OF THE UNITED STATES OF AMERICA,  
*Ottawa, Canada, April 23, 1934.*

SIR:

Arrangement with Canada governing radio communications between private experimental and amateur stations.

Vol. 45, p. 2853.

Pursuant to the provisions in Article 6 of the General Regulations annexed to the International Radiotelegraph Convention signed at Washington on November 25, 1927, there was effected by an exchange of notes between the United States of America and the Dominion of Canada, dated October 2, 1928, December 29, 1928, and January 12, 1929, an arrangement governing radio communications between private experimental stations in the two countries.

The International Telecommunication Convention and the General Radio Regulations annexed thereto, signed at Madrid on December 9, 1932, will, when effective, abrogate and replace in the relations between the contracting governments the International Radiotelegraph Convention and the General Regulations of Washington, 1927.

I have the honor, therefore, for and in the name of my Government and by its direction, to propose that the above-mentioned arrangement governing radio communications between private experimental stations, effected by an exchange of notes, shall be deemed and understood by the two Governments to continue to apply to private experimental stations and to amateur radio stations, without change, under Sections 1 and 2 of Article 8 of the General Radio Regulations annexed to the International Telecommunication Convention of Madrid, 1932, when the said Convention and Regulations shall have been ratified by both Governments.

The Government of the United States will be pleased to consider the above-stated understanding to be effective on the date of the receipt of a note from the Government of the Dominion of Canada stating its acceptance of such understanding.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

## WARREN D. ROBBINS

The Right Honorable

THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS,  
*Ottawa, Canada.*

*The Canadian Secretary of State for External Affairs (Bennett) to  
the American Minister (Robbins)*

No. 40

DEPARTMENT OF EXTERNAL AFFAIRS,  
Ottawa, 2nd May, 1934.

SIR,

I have the honour to acknowledge your note No. 219 of the 23rd April, 1934, relating to an arrangement effected by an exchange of notes between Canada and the United States of America, dated October 2, 1928, December 29, 1928, and January 12, 1929, governing radio communications between private experimental stations in the two countries. Acceptance by Can-  
ada.

It is noted that the International Telecommunication Convention and the General Radio Regulations annexed thereto, signed at Madrid on December 9, 1932, will, when effective, abrogate and replace in the relations between the contracting governments the International Radiotelegraph Convention and the General Regulations of Washington, 1927.

It is noted that it is proposed, for and in the name of the United States Government and by its direction, that the above-mentioned arrangement governing radio communications between private experimental stations, effected by an exchange of notes, shall be deemed and understood by the two Governments to continue to apply to private experimental stations and to amateur radio stations, without change, under Sections 1 and 2 of Article 8 of the General Radio Regulations annexed to the International Telecommunication Convention of Madrid, 1932, when the said Convention and Regulations shall have been ratified by both Governments.

It is also noted that the United States Government will consider the above-stated understanding to be effective on the date of the receipt of a note from the Canadian Government, stating its acceptance of such understanding.

I have the honour to state that the Canadian Government accept such understanding and will consider it effective on the date of the receipt of this note as stated in the preceding paragraph.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

O. D. SKELTON

for

SECRETARY OF STATE  
FOR EXTERNAL AFFAIRS.

The Honourable WARREN D. ROBBINS,  
*United States Minister to Canada,*  
*Legation of the United States of America,*  
*Ottawa.*

*The American Minister (Robbins) to the Canadian Secretary of State for External Affairs (Bennett)*

No. 226.      **LEGATION OF THE UNITED STATES OF AMERICA,**  
*Ottawa, Canada, May 4, 1934.*

**SIR:**

Acknowledgment by  
United States.

I have the honor to acknowledge the receipt this morning of your note No. 40 of May 2, 1934, in which you convey your approval of an arrangement governing radio communications between private experimental stations in Canada and the United States. In accordance with the understanding reached in your note under acknowledgment and the Legation's note of April 23, 1934, the arrangement is considered to be effective as of today's date.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS.

The Right Honorable  
THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS,  
*Ottawa.*

[No. 62]

*Memorandum of Agreement between the United States, Australia, Canada, China, India, Mexico, Peru, and Spain concerning Silver, with supplementary undertakings. Signed at London July 22, 24, and 26, 1933; effective April 24, 1934.*

### SILVER AGREEMENT

**MEMORANDUM OF HEADS OF AGREEMENT** entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru as principal producers of silver, at the Monetary and Economic Conference held in London, July, 1933.

WHEREAS, at a meeting of the Sub-Commission II (Permanent Measures) of the Monetary and Financial Commission of the Monetary and Economic Conference held on Thursday, July 20th, 1933, the following Resolution was unanimously adopted.

Silver agreement.

“Be it resolved to recommend to all the Governments parties to this Conference:

“(a) That an agreement be sought between the chief silver producing countries and those countries which are the largest holders or users of silver with a view to mitigating fluctuations in the price of silver; and that the other nations not parties to this agreement should refrain from measures which could appreciably affect the silver market;

“(b) That the Governments parties to this Conference shall refrain from new legislative measures which would involve further debasement of their silver coinage below a fineness of 800/1000;

“(c) That they shall substitute silver coins for low value paper currency insofar as the budgetary and local conditions of each country will permit;

“(d) That all of the provisions of this Resolution are subject to the following exceptions and limitations:

“The requirements of such provisions shall lapse on April 1st, 1934, if the agreement recommended in paragraph (a) does not come into force by that date, and in no case shall extend beyond January 1st, 1938;

“Governments may take any action relative to their silver coinage that they may deem necessary to prevent the flight or destruction of their silver coinage by reason of a rise in the bullion price of the silver content of their coin above the nominal or parity value of such silver coin,” and,

WHEREAS, the Governments of India and Spain may desire to sell certain portions of their silver holdings, and it will be to their advantage that the countries which are large producers of silver should absorb silver as herein provided, to offset such sales, and,

WHEREAS, it is to the advantage of the large producing countries named in Article 2 that the sales of silver from monetary stocks be limited as herein provided, and

## SILVER AGREEMENT.

WHEREAS, it is to the advantage of China that sales from monetary stocks of silver be offset by purchases as herein provided, with a view to its effective stabilisation;

Now, THEREFORE, it is agreed between the parties hereto:

1. (a) That the Government of India shall not dispose by sale of more than one hundred and forty million fine ounces of silver during a period of four years, commencing with January 1st, 1934. The disposals during each calendar year of the said four year period shall be based on an average of thirty five million fine ounces per year, it being understood, however, that, if in any year, the Government of India shall not dispose of thirty five million fine ounces, the difference between the amount actually disposed of and thirty five million fine ounces may be added as additional disposals in subsequent years. Provided further that the maximum amount disposed of in any year shall be limited to fifty million fine ounces.

(b) Notwithstanding anything previously stated in this Article, it is understood that if the Government of India should after the date of this agreement sell silver to any Government for the purpose of transfer to the United States Government in payment of war debts such silver shall be excluded from the scope of this agreement;

(c) Provided, however, that when the total of the disposals referred to in paragraph (a) above plus the sales referred to in paragraph (b) above by the Government of India under this agreement shall amount to one hundred and seventy five million fine ounces, the obligation of the parties hereto shall cease.

2. That the Governments of Australia, Canada, the United States, Mexico and Peru, during the existence of this agreement, shall not sell any silver, and shall also in the aggregate purchase, or otherwise arrange for withdrawing from the market, thirty five million fine ounces of silver from the mine production of such countries in each calendar year for a period of four years commencing with the calendar year 1934. The said Governments undertake to settle by agreement the share in the said thirty five million fine ounces which each of them shall purchase or cause to be withdrawn.

3. That the silver purchased or withdrawn in accordance with Article 2 above shall be used for currency purposes (either for coinage or for currency reserves), or be otherwise retained from sale during said period of four years.

4. That the Government of China shall not sell silver resulting from demonetised coins for a period of four calendar years commencing January 1st, 1934.

5. That the Government of Spain shall not dispose by sale of more than twenty million fine ounces of silver during a period of four years commencing January 1st, 1934. The disposals during each calendar year of the said four year period shall be based on an average of five million fine ounces per year; it being understood, however, that if in any year the Government of Spain shall not dispose of five million fine ounces, the difference between the amount actually disposed of and five million fine ounces may be added as additional disposals in subsequent years; provided further that the

maximum amount disposed of in any year shall be limited to seven million fine ounces.

6. That the Governments concerned will exchange all such information as may be necessary with regard to the measures to fulfil the provisions of this memorandum of agreement.

7. That it is understood, that subject to the provisions of Article 8, the undertakings of each party to the present memorandum of agreement are conditional upon the fulfilment of the undertakings of every other party thereto.

8. That this memorandum of agreement is subject to ratification by the Governments concerned. The instruments of ratification shall be deposited not later than the 1st April, 1934,<sup>1</sup> with the Government of the United States. It shall come into force as soon as the ratifications of all the Governments concerned are received provided that all the ratifications are received before the 1st April, 1934. A notice by any Government that the affirmative action necessary to carry out the purposes of this agreement has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the Governments enumerated in Article 2 fail to ratify by the 1st April, 1934, the agreement shall come into force at that date if the other Governments mentioned in Article 2 which have ratified notify the other Governments which ratify that they are prepared to purchase, or cause to be withdrawn, in the aggregate the amount of silver mentioned in Article 2. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF the undersigned have signed the present memorandum of agreement.

DONE at London this 22nd day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

S. M. BRUCE  
*Delegate of Australia.*

EDGAR N. RHODES  
*Delegate of Canada.*

W. W. YEN  
*Delegate of China.*

KEY PITTMAN  
*Delegate of United States  
of America.*

GEORGE SCHUSTER  
*Delegate of India.*

EDUARDO SUÁREZ  
*Delegate of Mexico.*

F. TUDELA  
*Delegate of Peru.*

L. NICOLAU D'OLWER  
*Delegate of Spain.*

Supplementary un-  
dertakings.

United States of  
America.

## SUPPLEMENTARY UNDERTAKINGS

*United States of America*

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of the United States shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, twenty-four million, four hundred and twenty-one thousand, four hundred and ten, fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, Canada, Mexico and Peru whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, Canada, Mexico, and Peru, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.
2. That the absorption of silver referred to in this agreement means current mine production.
3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.
4. That this memorandum is subject to ratification by the proper governmental authorities of the United States whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.
5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to

this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

Done at London this 26<sup>th</sup> day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

KEY PITTMAN  
*Delegate of the United States.*

*Australia*

*Australia.*

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Australia shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, six hundred and fifty-two thousand, three hundred and fifty-five fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Canada, the United States, Mexico and Peru whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Canada, the United States, Mexico and Peru, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.
2. That the absorption of silver referred to in this agreement means current mine production.
3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

## SILVER AGREEMENT.

4. That this memorandum is subject to ratification by the proper governmental authorities of Australia whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this 26<sup>th</sup> day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

S. M. BRUCE,  
*Delegate of Australia.*

Canada.

*Canada*

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Canada shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, one million, six hundred and seventy-one thousand, eight hundred and two fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, United States, Mexico, and Peru, whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, the United States, Mexico, and Peru are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.
2. That the absorption of silver referred to in this agreement means current mine production.
3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.
4. That this memorandum is subject to ratification by the proper governmental authorities of Canada whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.
5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this twenty fourth day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

EDGAR N. RHODES  
*Delegate of Canada*

*Mexico*

*Mexico.*

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada,

the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Mexico shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, seven million, one hundred and fifty-nine thousand, one hundred and eight fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, Canada, United States and Peru whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, Canada, the United States, and Peru, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.
2. That the absorption of silver referred to in this agreement means current mine production.
3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.
4. That this memorandum is subject to ratification by the proper governmental authorities of Mexico whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.
5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United

States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this 24 day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

EDUARDO SUÁREZ  
*Delegate of Mexico.*

*Peru*

*Peru.*

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal purchasers of silver, it is understood that the Government of Peru shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, one million, ninety-five thousand, three hundred and twenty-five fine ounces of silver in each calendar year beginning with the calendar year 1934.

2. This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, Canada, United States and Mexico whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, Canada, the United States, and Mexico, are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.

2. That the absorption of silver referred to in this agreement means current mine production.

3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

4. That this memorandum is subject to ratification by the proper governmental authorities of Peru whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided

## SILVER AGREEMENT.

that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned have signed this memorandum of agreement.

DONE at London this 24 day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

F. TUDELA  
*Delegate of Peru.*

*Silver Agreement: Reservation by China*

"In ratifying this Agreement, the National Government of China declares that as silver is the basic monetary standard of China, the National Government will consider itself at liberty to take whatever action it may deem appropriate, if, in its opinion, changes in the relative values of gold and silver adversely affect the economic condition of the Chinese people, contrary to the spirit of stabilizing the price of silver as embodied in this Agreement."

Reservation by  
China.

## APPENDIX

RATIFICATIONS<sup>1</sup>

<i>State</i>	<i>Date of deposit</i>
Australia-----	Feb. 16, 1934 <sup>2</sup>
Canada-----	Mar. 28, 1934
China-----	Mar. 27, 1934 <sup>3</sup>
India-----	Mar. 21, 1934
Mexico-----	Mar. 26, 1934
Peru-----	Apr. 24, 1934 <sup>2</sup>
Spain-----	Apr. 24, 1934 <sup>3</sup>
United States-----	Dec. 21, 1933 <sup>2</sup>

<sup>1</sup> Deposited with the Department of State, Washington.

<sup>2</sup> Notice of affirmative action accepted as an instrument of ratification (sec. 8).

<sup>3</sup> Notice of ratification (sec. 8). China and Spain deposited formal instruments of ratification on May 14 and May 8, 1934, respectively.

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